

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

(WEST VIRGINIA)
PUBLIC SCHOOL BONDS, SERIES 2011

DATE OF CLOSING: MARCH 10, 2011



\$37,000,000 THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA)

Public School Bonds, Series 2011

Date of Closing: March 10, 2011

BOND TRANSCRIPT

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CERTIFICATE

Certified a true and correct copy of an Order Directing and Election, made and entered of record by The Board of Education of the County of Hancock at a regular meeting thereof duly and properly called and held upon lawful notice to the public and all members thereof on the 12th day of July 2010, at New Cumberland, Hancock County, West Virginia, a quorum of said members being present at said meeting and acting throughout the same. Such order is in full force and effect.

Given under my hand this 10th day of March 2011.

By:

Superimendent and Secretary of The Board Of Education of the County of Hancock AN ORDER OF THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK DIRECTING AN ELECTION TO BE HELD FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF HANCOCK COUNTY SCHOOL DISTRICT ALL QUESTIONS CONNECTED WITH THE CONTRACTING OF A DEBT AND THE ISSUING OF BONDS IN THE PRINCIPAL AMOUNT NOT TO EXCEED THIRTY-SEVEN MILLION DOLLARS (\$37,000,000)

TO THE VOTERS OF HANCOCK COUNTY, WEST VIRGINIA

That, at a regular meeting of the Board of Education of Hancock County, West Virginia, held on July 12, 2010, the following Order was made and entered on record, to-wit:

BE IT ORDERED BY THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK: It appears to the Board of Education of the County of Hancock (hereinafter called "the Board") from the experience of the Board in operating the schools in the Hancock County School District (hereinafter called the "School District") and after carefully studying and considering reports, recommendations and the needs of the School District regarding the desire for an improved educational program and based upon this information, the Board does accordingly find that:

- 1. There are now and have been for several years in the School District deficiencies in the school building facilities presently existing which generally result in insufficient space, overcrowding, and a lack of efficiency. To correct these deficiencies, there is a need to enlarge, equip, extend, furnish, improve, construct and renovate certain school facilities in all grade and age levels, as soon as possible, in the manner hereinafter stated.
- 2. The funds derived from current levies which this **Board** is now authorized by law to lay, after providing for administration of the affairs of the **Board** and meeting the current expenses thereof required by law, are insufficient to finance the projects required by a comprehensive building program and, therefore, Bonds should be issued to provide funds for such projects.
- 3. To obtain the necessary funds for the projects hereinafter described, it will be necessary to incur debt and issue Bonds for the acquisition, construction, erection,

improvement, equipping and furnishing of such projects. Studies by the Board show that the School District must spend at least the sum of Fifty-Six Million Dollars (\$56,000,000) for such purposes, including the proceeds of the sale of the Bonds in the amount not to exceed THIRTY-SEVEN MILLION DOLLARS of providing (\$37,000,000) all for the general purpose adequate, safe and convenient educational facilities for the The issuance of the Bonds by the School School District. District, following approval by the voters of the **School** District, is expressly conditioned upon the receipt by the School District of one or more grants from the West Virginia School Building Authority and/or other sources in an amount of Nineteen Million Dollars (\$19,000,000).

4. The valuation of the taxable property in the **School District**, as shown by the last assessment thereof for State and County taxation purposes, is \$950,600,249 and valuation of each class of property within the **School District** is as follows:

Class I\$120
Class II 353,058,280
Class III 349,967,825
Class IV 247,574,024
TOTAL\$950,600,249

- District now has Board and the School The unbonded indebtedness of outstanding bonded indebtedness. the School District is for current expenses and can be paid from current levy funds. The maximum bonded indebtedness the Board may incur is \$47,530,012. Accordingly, additional Bonds in the amount of \$37,000,000 being less than five percent (5%) of the value of such taxable property as ascertained by the last assessments thereof for State and County taxes may be sold without violating any constitutional issued and statutory provision.
- 6. Bonds in the denomination of \$5,000.00 each, or integral multiples thereof, aggregating up to \$37,000,000 should be issued and sold, the proceeds of which shall be used for the projects hereinafter described, provided, however, that in the event that any part of the Bond proceeds should not be needed for completion of the projects, such unneeded part shall

be deposited with the Municipal Bond Commission of West Virginia to be used solely for the purchase of any Bonds of this issue outstanding at not more than the par value thereof plus accrued interest to date of purchase or for the payment of such Bonds and the interest thereon at the maturities thereof. The proceeds of sale of the Bonds will not be used except as herein specified; and, provided, further, the Board shall have the authority to pay matured interest and the principal amount of any matured Bonds from Bond proceeds until levy money is available to pay the same and thereafter, the Bond proceeds expended for this purpose shall be reimbursed from levy money collected.

- 7. The question of incurring said debt and issuing said Bonds and all other questions properly connected therewith shall be submitted to the voters of the **School District** at the general election to be held on the 2nd day of November 2010, and the commissioners and clerks for holding said election, at each of the legally established voting precincts in Hancock County, shall be those commissioners and clerks designated, appointed and certified by the County Commission of Hancock County, West Virginia in connection with said general election.
- 8. The Bonds shall bear interest at a rate or rates not exceeding the rate of six and 75/100 percent (6.75%) per annum, payable semiannually, but it is hoped that the best bid for the Bonds will provide a lower interest rate (which might result in somewhat lower levy rates needed to pay the Bonds and the interest thereon); and the Bonds shall be payable for a maximum term of twenty-five and one-half (25 1/2) years from the date thereof.
- 9. The Bonds shall be issued only in book entry or registered form as to principal and interest in compliance with the United States Internal Revenue Code sections 103 and 149 (26 USCA 103 and 149), as amended, and as authorized by the West Virginia Public Obligations Registration Act, Article 2F, Chapter 13 of the Code of West Virginia of 1931, as amended (the "Code").
- 10. The projects for which the proceeds of the Bonds, if authorized by the voters, are to be expended are as follows:

LOCATION

ESTIMATED COST

A.T.Allison Elementary
Construct Physical Education and
3 Pre-K Classrooms.

Existing A.T.Allison Elementary School Chester, West Virginia

Existing New Manchester

New Cumberland, West Virginia

Elementary School

Bond Funds--\$5,269,112

Renovations including without Limitation: Site Drainage, Landscaping, Bollards, Play Yards, Paving & Parking, Windows, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, HVAC, Lights, Security Cameras, Restrooms, Electrical, Data Wiring, Fire Sprinklering and Asbestos Abatement.

New Manchester Elementary

Construct Physical Education and 3 Pre-K Classrooms

Renovations including without
Limitation: Site Drainage,
Landscaping, Bollards, Play Yards,
Paving & Parking, Roofing, Windows
& Curtain Wall, Exterior Doors,
Joint Sealing, Downspouts, Ceilings,
Flooring, Elevator, HVAC, Lights,
Security Cameras, Restrooms, Electrical,
Lighting, Data Wiring, Fire Sprinklering
and Asbestos Abatement.

Oak Glen Middle School Construct Wrestling Building Existing Oak Glen Middle Bond Funds--\$784,675 New Cumberland, West Virginia

Oak Glen High School

Renovations including without limitation: Science Department and Restrooms.

Existing Oak Glen High School Bond Funds-\$7,768,437 New Cumberland, West Virginia

Complete the Field of Dreams,
Including paved & lighted parking
lots, paved & lighted access drives,
lighted stairs to OGHS, concession
stand, restrooms and maintenance building;
in addition to baseball/softball field
bleachers, press boxed, PA systems and
scoreboards. New Football/Soccer Stadium
including Artificial Turf Field, Bleacher
Seating for 3,000, Restrooms, Game Locker
Rooms, Concessions, Press box, Field
Lighting, Scoreboard, PA/Sound System,
Repair/Resurfacing of Existing 8-lane Track,
Field Fencing and additional campus parking
for games.

Bond Funds--\$6,189,232

LOCATION

ESTIMATED COST

Weir Middle School

Renovations including without Limitation:

Restrooms, Disabled Access Behind MS Auditorium, and MS Auditorium Seating Replacement.

Existing Weir Middle School Bond Funds--\$669,669

Weirton, West Virginia

Weir High School

Renovations including without Limitation: Exterior Concrete Stairs & Walks, Science Department, Restrooms and HS Auditorium Seating Replacement.

Existing Weir High School Weirton, West Virginia

Bond Funds -- \$7,330,193

New Football/Soccer Stadium including Artificial Turf Field, Bleacher Seating for3,000, Restrooms, Game Locker Rooms, Concessions, Press Box, Upgrading of Existing Field Lighting, Scoreboard, PA/Sound System, Repair/ Resurfacing of Existing 8-lane Track, Field Fencing and additional campus Parking for games.

John D. Rockefeller, IV Career Center

Renovations including without limitation: Heating, Ventilating and Air Conditioning.

Existing John D. Rockefeller IV Bond Funds--\$1,358,900 Career Center New Cumberland, West Virginia

New Weirton Elementary School

Acquisition of land, Construction and equipping of New 950-Student PreK-4 Elementary School (includes demolition of Broadview, Liberty & Weirton Heights Existing elementary schools).

New Weirton Elementary to be located in the 3400 block of Pennsylvania Avenue in Weirton, West Virginia

SBA Grant-\$19,000,000 Bond Funds- 7,629,782 Total-\$26,629,782

TOTAL PROPOSED BOND CALL:

PROJECT COSTS: \$56,000,000

THIRD PARTY FUNDS: 19,000,000 TOTAL PROPOSED BOND CALL: \$37,000,000

CLOSURES

In the event the Bond is approved by the voters and the Bonds are issued, the requirements of West Virginia Code Section 18-15-13a shall not be observed with respect to the closure or consolidation of the following schools:

Broadview Elementary School to be closed; former students to be served by New Weirton Elementary School.

Liberty Elementary School to be closed; former students to be served by New Weirton Elementary School.

Weirton Heights Elementary School to be closed; former students to be served by New Weirton Elementary School.

The above amounts are made up of the aggregate principal amount of the Bond issue in the sum of **THIRTY-SEVEN MILLION DOLLARS** (\$37,000,000).

The foregoing amounts include the costs of acquiring necessary lands, sites and rights-of-ways, if any, engineering and architectural costs, construction including but not limited to the cost of using county maintenance personnel, the costs and estimated costs of the issuance of the Bonds, interest during the construction of the Projects, and such other costs, fee, and expenses as may be necessary and/or properly incurred in carrying out the foregoing projects. All Handicapped and E.S.S.L.A. Title 1 expenditures are subject to written approval by the West Virginia Department of Education. If for any reason any one or more of the above enumerated projects cannot be constructed, carried out, or completed, the amount above set out for any such project and any sums remaining unused upon completion of any of the foregoing projects may be allocated by the Board in its direction, to and expended for any one or more of the remaining projects set out above, as provided by Section 6(a), Article 1, Chapter 13, of the Code. In the event the Board shall obtain additional money by grant or otherwise from the state or federal government, or from any agency of either, from any other source, for use in the acquisition, improvement, furnishing, construction, renovation, equipping of the above enumerated projects, such additional money may be used either in substitution for or in addition to the proceeds of the sale of the Bonds proposed hereby, as may be determined by the Board and the granting body or agency, unless otherwise set forth in this Order.

11. If the voters of the **School District** approve the incurring of said debt and the issuance of said Bonds, the **Board** will lay annually upon the assessed valuation of all the taxable property within the **School District** a levy sufficient to provide funds for the payment of the annual interest upon the Bonds as such interest accrues semi-annually and the principal of the Bonds at maturity, for which purposes a levy upon each \$100 valuation, based upon the last assessment of such property for State and County purposes, will be required as follows:

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Upon Class I Property Approximately----11.22 cents Upon Class II Property Approximately----22.44 cents Upon Class III Property Approximately----44.88 cents Upon Class IV Property Approximately----44.88 cents
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- In the laying of said levy, the assessment levy 12. authorized to be laid by said Board by the Constitution of West Virginia and the statutes enacted pursuant thereto shall not be exceeded; provided, however, that said rates hereinabove set forth may, whenever necessary, be exceeded in making the annual levy for interest and principal of said Bonds within statutory constitutional limitations; and that in the collection and disbursement of taxes within constitutional and statutory limitations, this levy for interest and principal shall have preference over all other taxes collected by said School District for any purpose whatsoever, except the payment of the interest and sinking fund requirements on any other bond issue or issues which lawfully have been authorized heretofore or which may be authorized hereafter.
- If the debt represented by this Bond issue shall be 13. approved by the voters, such Bonds, together with all existing bonded indebtedness heretofore incurred under Section of the Constitution, will not exceed in the Article X, aggregate five percent (5%) of the taxable property in the School District ascertained in accordance with Sections 8 and 10, Article X, of the Constitution of this State and will be payable from a direct annual tax levied and collected in each year on all taxable property in said School sufficient to pay the principal and interest maturing on said Bonds in each year, which maximum rates are provided for tax levies for school districts on the several classes of property in Section 1, Article X of the Constitution, but in the same proportions as such maximum rates are levied outside the limits fixed by Section 1, Article X of the Constitution.
- 14. If the debt and Bonds submitted to the voters shall be approved, by virtue of Section 8, Article X of the Constitution, known as the "School Bond Amendment", and the enabling legislation enacted by the Legislature of West Virginia Regular Session, 1951, amending and reenacting Sections 3 and 4, Article 1, Chapter 13 of the Code, and the enabling legislation enacted by the Legislature of West Virginia, Regular Session, 1959, amending and reenacting Section 4 and adding Section 34, Article 1, Chapter 13, of the

Code, levies hereinbefore provided will not violate statutory provisions of this State constitutional or establishing maximum levies, said levies herein provided shall be levied and allocated each year for the purposes discharging the interest and principal of the Bonds to be authorized, and for such purposes shall be laid separate and apart from all other levies made for all other purposes of the School District, and the Board does further find that after laying and allocating said special levies for payment of principal and interest requirements of said Bonds, there will be, out of the levies authorized by law and apportioned for current expenses, a sufficient levy authorized by law shich, when added to other income, will be sufficient to carry out the proper requisite functions of said Board and of said School District.

BE IT FURTHER ORDERED BY THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK AS FOLLOWS:

After careful study and due deliberation, the **Board** finds that available funds are insufficient for the payment of general current expenses and for correcting deficiencies in school building facilities. Wherefore, the **Board** orders the submission to the voters of Hancock County at the general election to be held on **November 2, 2010**, of the question of whether the **Board** should incur debt and issue Bonds in an amount not to exceed \$37,000,000 for the purposes set forth in this order.

- 1. The commissioners and clerks appointed and certified for the purpose of the election shall be the same commissioners and clerks designated, appointed and certified by the County Commission and as adopted by a supplemental order of this Board.
- 2. Notice of this question shall be given by publication of this Order at least once each week for two (2) successive weeks before the election and within fourteen (14) consecutive days next preceding the election in the Hancock County Courier and Weirton Daily Times which are newspapers of general circulation in the **School District**.
 - 3. The ballot shall be in the form that follows:

OFFICIAL BALLOT HANCOCK COUNTY BOARD OF EDUCATION SCHOOL BOND ELECTION November 2, 2010

Shall the Board of Education of the County of Hancock incur debt and issue bonds in the amount of \$37,000,000, maturities on such bonds to run not more than twenty-five and one-half (25-1/2) years from the date of such bonds, with interest not exceeding the rate of six and 75/100 percent (6.75%) per annum, payable semi-annually, for the purpose of acquisition of land, constructing, enlarging, extending, reconstructing, improving, furnishing and/or equipping the school buildings, facilities and structures in the Hancock County Public School District to provide adequate, safe and convenient facilities for the School District, namely:

PROJECT

LOCATION

New Cumberland, West Virginia

ESTIMATED COST

A.T.Allison Elementary
Construct Physical Education and
3 Pre-K Classrooms.

Existing A.T.Allison Elementary School Chester, West Virginia Bond Funds -- \$5,269,112

Renovations including without Limitation: Site Drainage, Landscaping, Bollards, Play Yards, Paving & Parking, Windows, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, HVAC, Lights, Security Cameras, Restrooms, Electrical, Data Wiring, Fire Sprinklering and Asbestos Abatement.

New Manchester Elementary Construct Physical Education And 3 Pre-K Classrooms

Renovations including without limitation: Site Drainage, Landscaping, Bollards, Play Yards, Paving & Parking, Roofing, Windows & Curtain Wall, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, Elevator, HVAC, Lights, Security Cameras, Restrooms, Electrical, Lighting, Data Wiring, Fire Sprinklering and Asbestos Abatement.

Oak Glen Middle School Construct Wrestling Building Existing Oak Glen Middle Bond Funds--\$784,675 New Cumberland, West Virginia

Oak Glen High School Renovations including without limitation: Science Department and Restrooms.

Existing Oak Glen High School Bond Funds--\$7,768,437 New Cumberland, West Virginia

Complete the Field of Dreams, Including paved & lighted parking lots, paved & lighted access drives, Existing New Manchester Bond Funds--\$6,189,232 Elementary School

lighted stairs to OGHS, concession stand, restrooms and maintenance building; in addition to baseball/softball field bleachers, press boxed, PA systems and scoreboards. New Football/Soccer Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Press box, Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional campus parking For games.

Weir Middle School

Renovations including without limitation:
Restrooms, Disabled Access Behind MS Auditorium, and MS Auditorium Seating Replacement.

Existing Weir Middle School Bond Funds--\$669,669 Weirton, West Virginia

Weir High School

Renovations including without limitation: Exterior Concrete Stairs & Walks, Science Department, Restrooms and HS Auditorium Seating Replacement. Existing Weir High School Bond Funds--\$7,330,193 Weirton, West Virginia

New Football/Soccer Stadium including Artificial Turf Field, Bleacher Seating for3,000, Restrooms, Game Locker Rooms, Concessions, Press Box, Upgrading of Existing Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional campus Parking for games.

John D. Rockefeller, IV Career Center

Renovations including without limitation: Heating, Ventilating and Air Conditioning.

Existing John D. Rockefeller IV Bond Funds--\$1,358,900 Career Center
New Cumberland, West Virginia

New Weirton Elementary School

Acquisition of land, Construction and equipping of New 950-Student PreK-4 Elementary School (includes demolition of Broadview, Liberty & Weirton Heights Existing elementary schools). New Weirton Elementary to be located in the 3400 block of Pennsylvania Avenue in Weirton, West Virginia SBA Grant-\$19,000,000 Bond Funds- 7,629,782 Total-\$26,629,782

TOTAL PROPOSED BOND CALL:

PROJECT COSTS: \$56,000,000
THIRD PARTY FUNDS: 19,000,000

TOTAL PROPOSED BOND CALL: \$37,000,000

If the voters of the **School District** approve the incurring of said debt and the issuance of said Bonds, the **Board** will lay annually upon the assessed valuation of all the taxable property within the **School District** a levy sufficient to

provide funds for the payment of the annual interest upon the Bonds as such interest accrues semi-annually and the principal of the Bonds at maturity, for which purposes a levy upon each \$100 valuation, based upon the last assessment of such property for State and County purposes, will be required as follows:

Upon Class I Property Approximately----11.22 cents
Upon Class II Property Approximately----22.44 cents
Upon Class III Property Approximately----44.88 cents
Upon Class IV Property Approximately----44.88 cents

CLOSURES

In the event the Bond is approved by the voters and the Bonds are issued, the requirements of West Virginia Code Section 18-15-13a shall not be observed with respect to the closure or consolidation of the following schools:

Broadview Elementary School to be closed; former students to be served by New Weirton Elementary School.

Liberty Elementary School to be closed; former students to be served by New Weirton Elementary School.

Weirton Heights Elementary School to be closed; former students to be served by New Weirton Elementary School.

The above amounts are made up of the aggregate principal amount of the Bond issue in the sum of **THIRTY-SEVEN MILLION DOLLARS** (\$37,000,000).

The foregoing amounts include the costs of acquiring necessary lands, sites and rights-of-way, if any, engineering and architectural costs, including but not limited to the cost of using County maintenance personnel, the costs and estimated costs of the issuance of the Bonds, interest during the construction of the Projects, and such other costs, fees, and expenses as may be necessary and/or properly incurred in carrying out the foregoing projects. All Handicapped and E.S.S.I.A. Title I expenditures are subject to written approval by the West Virginia Department of Education. If for any reason any one or more of the above enumerated projects cannot be constructed, carried out, or completed, the amount above set out for any such project and any sums remaining unused upon completion of any of the foregoing projects may be allocated by the Hancock County Board of Education in its discretion, to and

expended for any one or more of the remaining projects set out above, as provided by Section 6(a), Article 1, Chapter 13, of the Code of West Virginia, 1931, as amended. The amount of the Bond issue reflects the School District having received one or more grants from the West Virginia School Building Authority and/or other sources in an amount of Nineteen Million Dollars in the acquisition of (\$19,000,000) for use constructing, furnishing and/or equipping of a new Weirton Elementary School, the receipt of which sum is a condition precedent to the issuance of the Bonds. In the event the Hancock County Board of Education shall obtain additional money by grant or otherwise from the state of federal government, or from any agency of either, or from any other source, for use in renovation, construction, improvement, acquisition, furnishing, and/or equipping of the above enumerated projects, such additional money may be used either in substitution for or in addition to the proceeds of the sale of the bonds proposed hereby, as may be determined by said Board and the granting body or agency.

YES (FOR THE BOND ISSUE)

NO (AGAINST THE BOND ISSUE)

NOTICE TO VOTERS:

TO VOTE IN FAVOR OF THE PROPOSITION (FOR THE BOND ISSUE) SUBMITTED ON THIS BALLOT, MARK AN "X" IN THE BOX NEXT TO "YES".

TO VOTE AGAINST THE PROPOSITION (AGAINST THE BOND ISSUE), MARK AN "X" IN THE BOX NEXT TO "NO".

- 4. The Secretary of the Board with the assistance of the Clerk of the County Commission, which said Clerk is hereby designated and appointed as an agent of this Board for this election, are hereby authorized and directed to procure and furnish to the election commissioners at each voting precinct, insofar as practicable, the ballots, poll books, tally sheets and other things necessary for conducting the election, as provided by Chapter 13, Article 1, Section 11 of the Code, and perform all duties imposed by law upon clerks of the County Commission and Circuit Court in relation to primary and general elections, and in accordance with Chapter 13, Article 1, Section 13 of the Code.
- 5. Absentee ballots shall be applied for, obtained from and returned to the Clerk of the Circuit Court of the County of Hancock, and said Clerk is hereby appointed the agent for the Board to perform all duties relating to absentee ballots in a primary or general election.
- 6. The registration of voters and the use of the registration booths shall be governed by the permanent registration law of the State, and the Board hereby adopts the registration list of Hancock County as the official registration list of the School District for this election.

Adopted on the 12th day of July 2010.

THE BOARD OF EDUCATION OF THE
COUNTY OF HANCOCK
By: Speelel J. Duranto
President
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By: Tori M. Kinerman
Member
By: John Manypenny
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By: Vertry T. Grancajio
By: Vary . Dramayo
Member
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ATTEST:

Secretary

Given under my hand this $\underline{1274}$ day of $\underline{\int u u}$ 2010.

Secretary of the Board of Education of the County of Hancock

Member

CERTIFICATE

Certified a true and correct copy of an Resolution and Order Directing Issuance of Bonds, made and entered of record by The Board of Education of the County of Hancock at a regular meeting thereof duly and properly called and held upon lawful notice to the public and all members thereof on the 29th day of November 2010, at New Cumberland, Hancock County, West Virginia, a quorum of said members being present at said meeting and acting throughout the same. Such order is in full force and effect.

Given under my hand this 10th day of March 2011.

By

Superintendent and Secretary of The Board Of Education of the County of Hancock

HANCOCK COUNTY BOARD OF EDUCATION RESOLUTION AND ORDER DIRECTING ISSUANCE OF BONDS

WHEREAS, the Board of Education of the County of Hancock (the "Issuer"), has heretofore, on the 12th day of July 2010, made and entered of record an order upon the question of authorizing bonds in the amount of Thirty-Seven Million Dollars (\$37,000,000) to be issued and sold for the purpose of providing funds for making certain improvements in Hancock County School District (the "District");

WHEREAS, partially in pursuance of said order an election was held on the 2nd day of November 2010, at each of the legally established voting precincts in the District, for the purpose of ascertaining the will of the voters upon the question of whether or not said bonds should be issued. The result of said election, as shown by a canvass of the returns thereof made by The County Commission of Hancock County, sitting as The Board of Canvassers of the County of Hancock, on the 10th day of November 2010 was 5,214 votes for and 5,010 votes against the issuance of said bonds; so that more than fifty percent (50%) of the voters, to wit, fiftyone percent (51%) voting upon said proposition at said election, voted for the issuance of said bonds; and

WHEREAS, the Issuer has accordingly determined to proceed with the issuance of bonds as hereinafter provided.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK AS FOLLOWS:

- 1. Bonds in the aggregate principal amount of \$37,000,000 (the "Bonds") shall be issued and sold, in denominations of \$5,000 or integral multiples thereof, the proceeds of which sale shall be used for the purposes hereinafter set forth, the sale of such Bonds to be made in whole, or from time to time in part, as the Issuer may, in its discretion, deem proper, advisable and in the best interests of the inhabitants of the District. Upon completion of the Project and payment therefore in full, any unused sum remaining from the sale of the Bonds shall be deposited with the West Virginia Municipal Bond Commission to be used for the purchase of any Bonds of this proposed issue outstanding at a price of not more than the par value thereof plus accrued interest to the date of such purchase or for the payment of the Bonds hereby authorized and the interest thereon at the maturities thereof.
- 2. The Bonds shall bear interest at a rate or rates not exceeding six and seventy-five hundredths percent (6.75%) per annum, payable semiannually, on May and November 1, commencing November 1, 2011, but it is hoped that the best bid for the Bonds will provide a lower interest rate (which might result in somewhat lower levy rates needed to pay the Bonds and the interest thereon), and the Bonds shall be payable in the principal amounts and shall mature as follows:

Bonds in the amount of \$595,000 due and payable May 1, 2012; Bonds in the amount of \$865,000 due and payable May 1, 2013: Bonds in the amount of \$900,000 due and payable May 1, 2014; Bonds in the amount of \$945,000 due and payable May 1, 2015; Bonds in the amount of \$985,000 due and payable May 1, 2016; Bonds in the amount of \$1,030,000 due and payable May 1, 2017; Bonds in the amount of \$1,080,000 due and payable May 1, 2018; Bonds in the amount of \$1,130,000 due and payable May 1, 2019; Bonds in the amount of \$1,180,000 due and payable May 1, 2020: Bonds in the amount of \$1,235,000 due and payable May 1, 2021; Bonds in the amount of \$1,290,000 due and payable May 1, 2022; Bonds in the amount of \$1,350,000 due and payable May 1, 2023: Bonds in the amount of \$1,415,000 due and payable May 1, 2024; Bonds in the amount of \$1,480,000 due and payable May 1, 2025; Bonds in the amount of \$1,545,000 due and payable May 1, 2026; Bonds in the amount of \$1,620,000 due and payable May 1, 2027; Bonds in the amount of \$1,695,000 due and payable May 1, 2028; Bonds in the amount of \$1,770.000 due and payable May 1, 2029; Bonds in the amount of \$1,850,000 due and payable May 1, 2030; Bonds in the amount of \$1,935,000 due and payable May 1, 2031; Bonds in the amount of \$2,025,000 due and payable May 1, 2032; Bonds in the amount of \$2,120,000 due and payable May 1, 2033; Bonds in the amount of \$2,215,000 due and payable May 1, 2034; Bonds in the amount of \$2,320,000 due and payable May 1, 2035; Bonds in the amount of \$2,425,000 due and payable May 1, 2036;

- 3. The Bonds may be subject to redemption prior to their stated dates of maturity at the option of the Issuer, on or after such date, in such order of redemption price or prices to be set forth in the Notice of Sale of the Bonds. The Issuer shall not levy taxes in connection with the redemption of any Bonds in excess of the taxes that would have been levied for the payment of principal of and interest on the Bonds in such year.
- 4. In the event that bids received for the Bonds provide for a "premium" and the Issuer's Financial Adviser advises that such bid provides for the lowest cost to the Issuer, to the fullest extent permitted by West Virginia law, the Issuer with the advice of the Financial Adviser may adjust the schedule of maturities aforesaid.

Whenever the Bonds shall be redeemed in part, in case a fully registered Bond is a denomination larger than \$5,000, a portion of such fully registered Bond (\$5,000 or any integral multiple thereof) may be redeemed, but the Bonds shall be redeemed only in the principal amount of \$5,000 each or any integral multiple thereof.

Notice of the call for any such redemption identifying the Bonds to be redeemed shall be promulgated by the Paying Agent, as defined below, at the request of and on behalf and in the name of the Issuer by mailing a copy of the redemption notice by registered or certified mail at least thirty (30) days prior to the Date of Redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books. Failure to give such notice by mailing, or any defect therein, shall not affect the validity of any proceedings for the redemption of Bonds.

Prior to the Date of Redemption, cash funds shall be placed with the Paying Agent to pay the principal amount of Bonds called, accrued interest thereon to the Date of Redemption and the required premium, if any. Upon the happening of the above conditions, the Bonds or portions thereof so designated for redemption shall become and be due and payable on the Date of Redemption at the applicable redemption price hereinabove specified, and from and after said date, unless default shall be made in the payment of the Bonds or portions thereof so designated for redemption shall cease to accrue and interest coupons maturing after the Date of Redemption shall become void, and the same shall not be deemed to be outstanding.

Upon surrender of any Bond for redemption in part only, the designated Registrar shall authenticate and deliver to the holder thereof, a new Bond or Bonds of authorized denominations in aggregate principal amount equal to the unredeemed portion of the Bond surrendered, such Bonds to be fully registered Bonds.

- 5. Both the Bonds and the interest thereon shall be payable in lawful money of the United States of America at the Office of State Treasurer of West Virginia (the "Paying Agent"), as agent for the Issuer shall annually, at the levy term thereof, make up and lay a levy upon all taxable property within the District sufficient to provide funds for paying the interest on the Bonds as the same accrues and becomes payable and the principal thereof at maturity.
- 6. The Bonds shall be issued under the five percent (5%) limitation of the Better Schools Amendment and will be payable from a direct annual tax on all taxable

property in the District, in the ratio, as between the several classes or types of such taxable property specified in Section 1, Article X of the Constitution, separate and apart from and in addition to all other taxes for all other purposes, sufficient to pay, annually, the interest of such debt and the principal thereof, within and not exceeding twenty-five and one-half (25 ½) years, or which may be levied outside the limits fixed by Section 1, Article X of the Constitution, and the Issuer covenants with the registered owners from time to time of the Bonds that the District shall include in its budget the amount of the debt service for each fiscal year of the District in which such sums are payable, shall appropriate such amount from its revenues for the payment of such debt service and shall duly and punctually pay or cause to be paid from its sinking fund or any other of its available revenues or funds the principal amount of each of the Bonds and the interest due thereupon at the date and place and in the manner stated therein, according to the true intent and meaning thereof; and, for such budgeting, appropriation and payment, subject to the limitations fixed by the District, shall and does pledge, irrevocably, its full faith, credit and taxing power.

- 7. It is hereby found and determined by the Issuer that the aggregate amount of such Bonds, to wit, Thirty-Seven Million Dollars (\$37,000,000) together with all other bonds of the District currently outstanding, there being none, does not exceed or violate any provisions or limitations in any manner provided by the School Bond Amendment and the Better Schools Amendment.
- 8. The Bonds hereby authorized shall be exempt from all taxation by the State of West Virginia or any political subdivision thereof and shall contain the following recital: "It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of West Virginia."
- 9. Each Bond shall be signed by and on behalf of the Issuer by the President of the Board and countersigned by its Secretary, and the corporate seal of the Issuer shall be affixed to each, which signatures and seal may be manual or by facsimile, and the Bonds herein authorized to be issued shall be upon the terms and in form or effect substantially as set forth in "Exhibit A", attached hereto as a part hereof. No Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution and Order unless and until the Registrar's Certificate of Authentication and Registration on such Bond, substantially in the form set forth in said "Exhibit B", shall have been manually executed by the duly appointed registrar for the Bonds (the "Registrar").
- 10. The Bonds shall be payable as to principal at the office of the Paying Agent, in any coin or currency which, on the dates of payment of principal is legal tender for the payment of public or private debts under the laws of the United States of America. Interest on the Bonds shall be paid by check or draft of the Paying Agent mailed to the registered owner thereof at the address as it appears on the books of the Registrar.

11. Subject to the provisions for transfer of registration set forth below, the Bonds shall be and have all of the qualities and incidents of negotiable instruments under the Uniform Commercial Code of the State of West Virginia, and each successive holder of the Bonds ("Holder"), in accepting any of said Bonds, shall be conclusively deemed to have agreed that such Bonds shall be and have all of the qualities and incidents of negotiable instruments under the Uniform Commercial Code of the State of West Virginia, and each successive Holder shall further be conclusively deemed to have agreed that said Bonds shall be incontestable in the hand of a bona fide holder for value.

So long as any of the Bonds remain outstanding, the Issuer, through the Registrar, shall keep and maintain books for the registration and transfer of the Bonds.

The Bonds shall be transferable only upon the books of the Registrar, by the registered owner thereof, in person or by his attorney duly authorized in writing, upon surrender thereto together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney.

In all cases in which the privileges of exchanging Bonds or transferring the registered Bonds is exercised, Bonds shall be delivered in accordance with the provisions of this Resolution and Order. All Bonds surrendered in any such exchanges or transfers shall forthwith be canceled by the Registrar. Transfers and exchanges of Bonds shall be made by the Registrar without charge to the holder or the transferee thereof, except as provided below. For every such exchange or transfer of Bonds, the Registrar may make a charge sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or transfer, and such tax or other governmental charge shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. The Registrar shall not be obligated to make any such exchange or transfer of Bonds during the period commencing on the 15th day of the month preceding an interest payment date on the Bonds.

12. The Issuer shall assure that (i) not in excess of ten percent (10%) of the Net Proceeds of the Bonds are used for Private Business Use if, in addition, the payment of more than ten percent (10%) of the principal or ten percent (10%) of the interest due on the Bonds during the term thereof is, under the terms of the Bonds or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for a Private Business Use or in payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the Issuer, in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the Issuer, in respect of property or borrowed money used or to be used for a Private Business Use; and (ii) in the event that both (A) in excess of five percent (5%) of the Net Proceeds of the Bonds are used for a Private Business Use, and (B) in excess of five percent (5%) of the interest due on the Bonds during the term thereof is, under the terms of the Bonds or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for said Private Business Use or in payments in respect of property used

or to be used for said Private Business Use or is to be derived from payments, whether or not to the Issuer in respect of property or borrowed money used or to be used for said Private Business Use, then said excess over said five percent (5%) of Net Proceeds of the Bonds used for a Private Business Use shall be used for a Private Business Use related to the governmental use of the Project, or if the Bonds are for the purpose of financing more than one project, a portion of the Project, or if the Bonds are for the purpose of financing more than one project, a portion of the Project, and shall not exceed the proceeds used for the governmental use of that portion of the Project to which such Private Business Use is related.

- 13. The Issuer shall assure that not in excess of five percent (5%) of the Net Proceeds of the Bonds are used, directly or indirectly, to make or finance a loan (other than loans constituting Non-purpose Investments) to persons other than state or local government units.
- 14. The Issuer shall not take any action or permit or suffer any action to be taken, the result of which would be to cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended, or any successor provision (the "Code"), and Regulations promulgated thereunder.
- 15. The Issuer will file all statements, instruments and returns necessary to assure the tax-exempt status of the Bonds and the interest thereon, including without limitation, the information return required under Section 149(e) of the Code.
- 16. The Issuer covenants with the registered owners from time to time of the Bonds that it will make no use of the proceeds of such issue or do or suffer any other action which, if such use or action had been reasonably expected on the date of issue of such Bonds, would cause such Bonds to be "arbitrage bonds," as that term is defined in Section 148 of the Code. The Issuer further covenants that it will comply with the requirements of such Section 148 and with the regulations thereunder throughout the term of this issue. In addition, the President of the Issuer being the official responsible for issuing the Bonds, is hereby authorized and directed to execute and deliver, in the name and on behalf of the District, any and all documents or other instruments which Bond Counsel may reasonably request in connection with the providing of its opinion that the Bonds are not "arbitrage bonds" within the meaning of said Section 148 and the regulations promulgated thereunder, including, without limitation, a certificate dated the date of issuance, sale and delivery of the Bonds, which certificate shall set forth the reasonable expectations of the District as to the amount and use of the proceeds of the Bonds and other matters relating to such Section 148.
- 17. The Issuer hereby covenants to take all actions necessary to comply with the "rebate" provisions of Section 148(f) of the Code and shall employ such professionals as may be necessary in order to ensure such compliance.

- 18. The Secretary of the Issuer shall transmit to the Attorney General of the State of West Virginia a duly certified copy of all orders, resolutions, proclamations, notices, advertisements, affidavits and records of all proceedings connected with or pertaining to this Bond issue, and any and all other matters relative thereto which the Attorney General may require, as provided by Section 25, Article 1, Chapter 13 of the Code of West Virginia.
- 19. All officers, members and employees of the Issuer are hereby authorized, empowered and directed to do any and all things proper and necessary to cause valid Bonds to be issued as authorized by the voters of the District at the general election held on the 2nd day of November 2010, pursuant to the calling thereof, and to do all things proper and necessary to obtain the approval and sale of said Bonds, and no further authority shall be necessary to authorize any such officers or employees to give further assurance and do further acts as may legally be required by any individual or corporate purchaser of the Bonds hereby authorized or any of them.
- 20. Before offering the Bonds hereby authorized for sale, they shall first be advertised as required by Section 21, Article 1, Chapter 13 of the Code of West Virginia, and the officers of the Issuer are hereby authorized to place such advertisement as required thereby.
- 21. This Resolution and Order shall be effective immediately upon its adoption and entry of record.

Adopted and entered of record this 29th day of November 2010.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

[SEAL]

General J. Duranto

ATTEST:

of fluid

EXHIBIT "A"

FORM OF A BOND

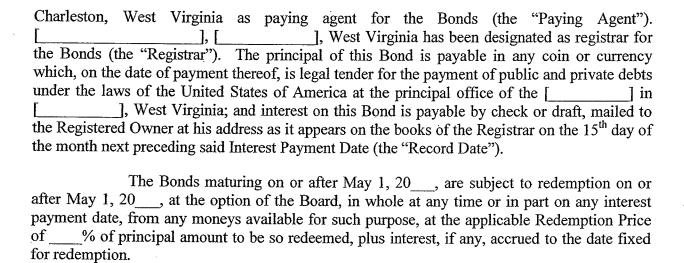
Unless this Bond is presented by an authorized representative of the Depository Trust Company, a New York corporation ("DTC"), to Issuer or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & co., has an interest herein.

UNITED STATES OF AMERICA STATE OF WEST VIRGINIA

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA).

NO. R INTEREST RATE%	MATURITY DATE May 1,	BOND DATE , 2010	\$, CUSIP
REGISTERED OWNER: PRINCIPAL AMOUNT:		AND 00/	100 DOLLARS

KNOW ALL MEN BY THESE PRESENTS: That THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, WEST VIRGINIA, a public corporation created and existing under the laws of the State of West Virginia (the "Board"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner specified above, or registered assigns (the "Registered Owner"), on the Maturity Date specified above, upon presentation and surrender hereof, the Principal Amount specified above and to pay interest on said Principal Amount from the interest payment date preceding the date of authentication hereof or, if authenticated after the date preceding the date of authentication hereof or, if authenticated after the Record Date (as hereinafter defined) but prior to the applicable Interest Payment Date (as hereinafter defined) or on said Interest Payment Date, from said Interest Payment Date or, if no interest has been paid, from the Bond Date specified above, at the Interest Rate per annum specified above, semiannually, on May 1 and November 1 in each year, beginning November 1, 2011 (each an "Interest Payment Date"). The Treasurer of the State of West Virginia has designated the West Virginia Municipal Bond Commission,



In the event of such optional redemption, the Board may direct the maturity or maturities of the Bonds and the amounts thereof to be redeemed, provided that the Bonds will be redeemed in whole multiples of \$5,000 in principal amount and in the minimum principal amount of \$50,000.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS BOND SET FORTH ON THE REVERSE HEREOF, WHICH FURTHER PROVISIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH HEREIN.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts. conditions and things required by the laws of the State of West Virginia to exist, to have happened or to have been performed, precedent to or in connection with the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of West Virginia, and that legal provision has been made by the Board for the levy and collection of a direct annual tax sufficient in amount to meet the payment of the interest and principal hereof, which shall have precedence over all other taxes for any purpose whatever, except bond issues heretofore or hereafter authorized and issued under the five percent limitation provided by the Better Schools Amendment of the Constitution of West Virginia, and said tax is levied outside the limits fixed by Section 1, Article X of the Constitution of the State of West Virginia in the manner provided by Sections 8 and 10, Article X of the State Constitution; that said levies do not exceed any constitutional or statutory limitations; and that said levies do not exceed any constitutional or statutory limitations; and that the amount of this Bond, together with all other indebtedness of the Board, does not exceed any statutory or constitutional limitation thereon.

For payment of both principal and interest hereof, the full faith, credit and resources of the Board are hereby irrevocably pledged within the limitations prescribed by the Constitution and statutes of the State of West Virginia.

The Board has covenanted in the Resolution and Order described on the reverse hereof that it shall include in its budget the amount of the debt service for each fiscal year of the Board in which principal and/or interest on the Bonds is payable, that it shall appropriate from its revenues any such sums for the payment of such debt service and that it shall duly and punctually cause to be paid, when due, the principal of and interest on the Bonds.

The Board and the Registrar shall not be required to issue or transfer any Bonds during a period beginning with the close of business on the Record Date next preceding any Interest Payment Date and ending at the close of business on such Interest Payment Date.

Subject to the registration requirements set forth herein, this Bond, under the provisions of the Act, is and has all the qualities and incidents of a negotiable instrument under the Uniform Commercial Code of the State of West Virginia.

The Board has caused CUSIP numbers to be printed on the Bonds and has directed the Paying Agent to use such numbers in notices, if any, as a convenience to bondholders. No representation is made as to the accuracy of such numbers either as printed on the Bonds or as contained in any notice.

This Bond shall not be entitled to any benefit under the Resolution and Order nor shall it be valid, obligatory or enforceable for any purpose until the Certificate of Authentication and Registration shall have been signed by the Paying Agent.

IN WITNESS WHEREOF, THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK has caused this Bond to be duly signed in its name and on its behalf by its President and countersigned by its Secretary and has caused its corporate seal to be hereto affixed in the manner provided in the Resolution and Order, and has caused this Bond to be dated as of the Bond Date specified above.

	THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK
(SEAL)	President
	Secretary

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the Bonds of the Series designated therein, described in the within-mentioned Resolution and Order, and has been duly registered in the name of the Registered Owner set forth above, as of the date set forth below. Attached hereto is the complete text of the opinion of Bowles Rice McDavid Graff & Love LLP, Bond Counsel, a signed original of which is on file with the undersigned, delivered and dated on the date of the original delivery of and payment for the Bonds.

Dated:	, 2011.		
		[As Registrar]
		By: Vice President and	d Trust Officer

FURTHER PROVISIONS

This Bond is one of a series of bonds of the Board designated as "Public School Bonds, Series 2011" (the "Bonds"), issued by the Board in the aggregate principal amount of Thirty-Seven Million Dollars (\$37,000,000). The Bonds were authorized to be issued by a majority of voters at a general election held on November 2, 2010. The Bonds are in fully registered form, without coupons, and are issued under the authority of and in full compliance with the Constitution and statutes of the State of West Virginia, including particularly, Chapter 13, Article 1 of the West Virginia Code of 1931, as amended (the "Act") and a Resolution and Order (the "Resolution and Order") duly adopted by the Board for the purpose of providing funds for the acquisition, construction, renovation and other capital expenditures of five (5) projects as permitted by law, with all necessary appurtenances, situated in Hancock County School District. The terms and provisions of the Order are hereby incorporated by reference as if set forth fully herein.

This Bond may be transferred or exchanged by the Registered Owner hereof upon surrender of this Bond to the Registrar at its principal corporate trust office, accompanied by a written instrument or instruments of transfer in form, with instructions, and with guaranty of signature satisfactory to the Registrar, duly executed by the Registered Owner of this Bond or his attorney-in-fact or legal representative. The Registrar shall enter any transfer of Ownership of this Bond in the registration books and shall authenticate and deliver in the name of the transferee or transferees a new fully registered bond or bonds of authorized denominations of the same maturity and form for the aggregate amount which the transferee is entitled to receive at the earliest practicable time. The Board and the Paying Agent may deem and treat the Registered Owner hereof as the absolute Owner thereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the Board and the Paying Agent shall not be affected by any notice to the contrary. All payments made to the Registered Owner of a Bond, as herein provided, shall be valid and effectual to satisfy in full and discharge the liability of the Board upon the Bond as paid.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon or on the Resolution, against any member, officer or employee, past, present or future, of the Board or of any successor body, as such, either directly or through the Board or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the issuance of this Bond.

ASSIGNMENT

unto the	within	FOR VA Bond	LUE R	ECEIVE does	ED, the un	dersigned here irrevocably	by sells, assignments	gns and and	transfers
	nsfer the sa premises.					stration thereof			
III tire	premises.			**	٠				
Dated	: 				•				
				•		SIGNATURE	GUARANTI	EED:	
	en e			ą wie		(Bank, Trust C	Company or F	irm)	
						(Authorized O	fficer)		

NOTICE: The Assignor's signature to this Assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

ATTORNEY GENERAL'S APPROVAL

I, DARRELL V. McGRAW, JR., Attorney General of the State of West Virginia, do hereby certify that this Bond has been approved by me by virtue of the authority vested in me by Article 1, Chapter 13, of the Code of West Virginia of 1931, as amended, that notice of my approval hereof was published as required by Section 25 of said Article 1; that 10 days have elapsed since the date of the last publication of such notice; that there has been no appeal from my approval to the Supreme Court of Appeals; and that this Bond has become incontestable, under and by virtue of the provisions of said Article 1, Chapter 13, and is a binding obligation upon The Board of Education of the County of Hancock, a corporation, the authority issuing the same, and upon the taxable property within Hancock County School District, and that by reason of the provisions of said Article 1, Chapter 13, no one has the right hereafter to contest in any court or in any action or proceeding the validity of this Bond for any cause whatsoever.

WITNESS my hand this the	day of	2011.	
	Attorney Gene	eral of the State of	f West Virginia

EXHIBIT "B"

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the Bonds of the Series designated therein, described in the within-mentioned Resolution and Order, and has been duly registered in the name of the Registered Owner set forth above, as of the date set forth below. Attached hereto is the complete text of the opinion of Bowles Rice McDavid Graff & Love LLP Bond Counsel, a signed original of which is on file with the undersigned, delivered and dated on the date of the original delivery of and payment for the Bonds.

Dated:1,	2011		
		[], As Registra
		By:	
		[Vi	ice President and Trust Officer]

Bid Results

Hancock Co BOE \$37,000,000 Public School Bonds, Series 2011

The following bids were submitted using **PARITY**® and displayed ranked by lowest TIC. Click on the name of each bidder to see the respective bids.

Bid Award*	Bidder Name	TIC
Reoffering	Wells Fargo Bank, National Association	4.340477
	J.P. Morgan Securities LLC	4.391920
	Southwest Securities, Inc.	4.439259
	Robert W. Baird & Co., Inc.	4.453843
	BMO Capital Markets	4.459711
	Banc of America Merrill Lynch	4.609289
	Hutchinson, Shockey, Erley & Co.	4.724465

^{*}Awarding the Bonds to a specific bidder will provide you with the Reoffering Prices and Yields.

Wells Fargo Bank, National Association - Charlotte , NC's Bid **Hancock Co BOE** \$37,000,000 Public School Bonds, Series 2011

For the aggregate principal amount of \$37,000,000.00, we will pay you \$37,006,007.45, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %
05/01/2012	595M	3.0000
05/01/2013	865M	3.0000
05/01/2014	900M	3.0000
05/01/2015	945M	3.0000
05/01/2016	985M	3.0000
05/01/2017	1,030M	3.0000
05/01/2018	1,080M	3.0000
05/01/2019	1,130M	5.0000
05/01/2020	1,180M	3.0000
05/01/2021	1,235M	3.2500
05/01/2022	1,290M	5.0000
05/01/2023	1,350M	5.0000
05/01/2024	1,415M	5.0000
05/01/2025	1,480M	4.0000
05/01/2026	1,545M	4.0000
05/01/2027	1,620M	4.0000
05/01/2028	1,695M	4.2500
05/01/2029	1,770 M	4.2500
05/01/2030	1,850M	4.3750
<u>05/01/2031</u>		
05/01/2032	3,960M	4.5000
05/01/2033		
<u>05/01/2034</u>	4,335M	4.5000
<u>05/01/2035</u>		
<u>05/01/2036</u>	4,745M	4.7500

Total Interest Cost:

\$25,133,451.25

Premium:

\$6,007.45

Net Interest Cost:

\$25,127,443.80

TIC:

4.340477

Time Last Bid Received On:02/24/2011 11:59:46 EST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder:

Wells Fargo Bank, National Association, Charlotte, NC

Contact:

Walker McQuage

Title:

Managing Director Telephone:704-374-4442

Fax:

704-383-0065

Wells Fargo Bank, National Association's Sinking Fund of Term Bond Hancock Co BOE \$37,000,000 Public School Bonds, Series 2011

Maturity Date	Amount \$	Coupon %
05/01/2031	1,935M	
05/01/2032	2,025M	4.5000
05/01/2033	2,120M	
05/01/2034	2,215M	4.5000
05/01/2035	2,320M	
05/01/2036	2,425M	4.7500

Wells Fargo Bank, National Association's Reoffering Scale Hancock Co BOE \$37,000,000 Public School Bonds, Series 2011



Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price	Call Date
05/01/2012	595M	3.0000	0.6000	102.726	
05/01/2013	865M	3.0000	0.9500	104.335	
05/01/2014	900M	3.0000	1.3000	105.215	
05/01/2015	945M	3.0000	1.7500	104.971	, and the second
05/01/2016	985M	3.0000	2.0500	104.612	
05/01/2017	1,030M	3.0000	2.3500	103.695	
05/01/2018	1,080M	3.0000	2.6000	102.589	
05/01/2019	1,130M	5.0000	2.8500	115.520	
05/01/2020	1,180M	3.0000	3.1000	99.206	
05/01/2021	1,235M	3.2500	3.3500	99.143	
05/01/2022	1,290M	5.0000	3.6000	111.802	05/01/2021
05/01/2023	1,350M	5.0000	3.8000	110.016	05/01/2021
05/01/2024	1,415M	5.0000	3.9500	108.699	05/01/2021
05/01/2025	1,480M	4.0000	4.1000	98.930	
05/01/2026	1,545M	4.0000	4.2000	97.771	
05/01/2027	1,620M	4.0000	4.3000	96.529	
05/01/2028	1,695M	4.2500	4.4000	98.202	
05/01/2029	1,770M	4.2500	4.4500	97.523	
05/01/2030	1,850M	4.3750	4.5000	98.402	
05/01/2031					
05/01/2032	3,960M	4.5000	4.6000	98.652	
05/01/2033					
05/01/2034	4,335M	4.5000	4.7500	96.507	
<u>05/01/2035</u>					
05/01/2036	4,745M	4.7500	4.8700	98.265	

Accrued interest: \$0.00

Gross Production: \$37,327,537.45

Wells Fargo Bank, National Association's Sinking Fund of Term Bond Hancock Co BOE \$37,000,000 Public School Bonds, Series 2011

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price	Call Date
05/01/2031	1,935M				
05/01/2032	2,025 M	4.5000	4.6000	98.652	
05/01/2033	2,120M				
05/01/2034	2,215M	4.5000	4.7500	96.507	
05/01/2035	2,320M				
05/01/2036	2,425M	4.7500	4.8700	98.265	

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, WEST VIRGINIA \$37,000,000 PUBLIC SCHOOL BONDS, SERIES 2011

CROSS-RECEIPT FOR BONDS AND BOND PROCEEDS

The undersigned, for and on behalf of Wells Fargo Bank, National Association ("Purchaser"), and Gerald Durante, President, and Suzan Smith, Secretary, of THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (the "Issuer"), hereby certify as follows:

- 1. On the 10th day of March, 2011, in New York, New York, the Purchaser received the entire original issue of \$37,000,000 in aggregate principal amount of The Board of Education of the County of Hancock Public School Bonds, Series 2011 (the "Bonds"). The Bonds, as so received on original issuance, are in various denominations, are dated March 10, 2011, and are numbered from R-1 to R-25, inclusive.
- 2. At the time of such receipt of the Bonds, all the Bonds had been executed by Gerald Durante, President, and Suzan Smith, Secretary, respectively, of the Issuer, by their respective facsimile signatures, and the official seal of the Issuer had been imprinted upon each Bond, and each Bond had been authenticated by WesBanco Bank, Inc., as Registrar.
- 3. The Issuer has received and hereby acknowledges receipt from the Purchaser, as the original purchaser of the Bonds, of the proceeds of the Bonds, as follows:

Total Bond Proceeds

Purchase Price (100% of par plus premium of \$6,007.45)	\$37,006,007.45
Accrued Interest	-0-
TOTAL	\$37,006,007.45

Payment for the Bonds was made in Federal Funds in the amount of \$37,006,007.45 on the date hereof.

[Balance of Page Intentionally Left Blank.]

IN WITNESS WHEREOF, Aldine Rucker, duly signed and delivered this receipt on behalf of the Purchaser and THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK has caused this receipt to be executed by its President and Secretary, this 10th day of March, 2011.

WELLS FARGO BANK, NATIONAL

ASSOCIATION

Jennifer Evans, Vice President

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, WEST VIRGINIA

Gerald Durante, President

Suzan Smith, Secretary

[Signature Page to Cross-Receipt for Bonds and Bond Proceeds - Hancock]

JANUARY 14, 2011

IN THE MATTER OF THE BOARD OF EDUCATION OF HANCOCK COUNTY STATE OF WEST VIRGINIA \$37,000,000 PUBLIC SCHOOL BOND, SERIES 2011

ATTORNEY GENERAL'S APPROVAL

At a regular meeting of the Board of Education of the County of Hancock, State of West Virginia, held on the 12th day of July 2010, an order was adopted and entered of record authorizing a vote to be taken of legal voters of the County of Hancock at a general election to be held on the 2nd day of November, 2010, upon all questions connected with the incurring of debt and issuing bonds in the aggregate principal amount of THIRTY-SEVEN MILLION DOLLARS (\$37,000,000), and levying taxes to pay the interest on and the principal of said bonds, the proceeds from the sale of such bonds to be used for the following purposes:

PROJECT	LOCATION	ESTIMAT	ED COST
A.T. Allison Elementary			
Construct Physical Education and 3 Pre-K Classrooms. Renovations including without limitation: Site Drainage, Landscaping, Bollards, PlayYards, Paving & Parking, Windows, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, HVAC, Lights, Security Cameras, Restrooms, Electrical, Data Wiring, Fire Sprinklering and Asbestos Abatement.	Existing A.T. Allison Elementary School Chester, West Virginia	Bond Funds	\$5,269,112
New Manchester Elementary			
Construct Physical Education and 3 Pre-K Classrooms. Renovations including without limitation: Site Drainage, Landscaping, Bollards, PlayYards, Paving & Parking, Roofing, Windows & Curtain Wall, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, Elevator, HVAC, Lights, Security Cameras, Restrooms, Electrical, Lighting, Data Wiring, Fire Sprinklering and Asbestos Abatement. Oak Glen Middle School	Existing New Manchester Elementary School New Cumberland, West Virginia	Bond Funds	\$6,189,232
Construct Wrestling Building.	Existing Oak Glen Middle School New Cumberland, West Virginia	Bond Funds	\$784,675

Oak Glen High School Renovations including without limitation: Existing Oak Glen High School Bond Funds \$7,768,437 New Cumberland, West Virginia Science Department and Restrooms. Complete the Field of Dreams, including paved & lighted parking lots, paved & lighted access drives, lighted stairs to OGHS, concession stand, restrooms and maintenance building; in addition to baseball/softball field bleachers, press boxes, PA systems and scoreboards. New Football/Soccer Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Pressbox, Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional campus parking for games. Weir Middle School Renovations including without limitation: Existing Weir Middle School **Bond Funds** \$669,669 Restrooms, Disabled Access Behind MS Weirton, West Virginia Auditorium, and MS Auditorium Seating Replacement. Weir High School \$7,330,193 Renovations including without limitation: Existing Weir High School **Bond Funds** Exterior Concrete Stairs & Walks, Science Weirton, West Virginia Department, Restrooms and HS Auditorium Seating Replacement. New Football/Soccer Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Pressbox, Upgrading of Existing Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional campus parking for games. John D. Rockefeller, IV Career Center Renovations including without limitation: Existing John D. Rockefeller, IV **Bond Funds** \$1,358,900 Heating, Ventilating and Air Conditioning. Career Center New Cumberland, West Virginia **New Weirton Elementary School** \$19,000,000 Acquisition of land, construction and New Weirton Elementary School SBA Grant: equipping of New 950-Student PreK-4 To be located in the 3400 block 7,629,782 Bond Funds: Elementary School (includes demolition of of Pennsylvania Avenue in \$26,629,782 Total Broadview, Liberty & Weirton Heights Weirton, West Virginia existing elementary schools). TOTAL PROPOSED BOND CALL: \$56,000,000 Project Costs: Third Party Funds: \$19,000,000 Total Proposed Bond Call: \$37,000,000

LOCATION

PROJECT

ESTIMATED COST

The above amounts are made up of the aggregate principal amount of the Bond issue in the sum of THIRTY-SEVEN MILLION DOLLARS (\$37,000,000).

The Board of Education of the County of Hancock, pursuant to the provisions of Chapter 13, Article 1, Section 25, of the West Virginia Code of 1931, as amended, has caused to be transmitted to me certified copies of all pertinent orders, ordinances, proclamations, certificates of valuation, notices, advertisements, affidavits, resolutions and records of all the proceedings connected with or pertaining to such bond issue, and I have examined the same.

It appears from the records so transmitted to me that with respect to the proposition of incurring debt and issuing bonds, as provided in said order, 5,214 votes were cast for and 5,010 votes were cast against the issuance of said bonds, so that a majority of the votes were cast for the proposition.

In my opinion, there has been substantial compliance with the law relating to the issuance of said bonds, and I therefore approve the validity of such bond issue pursuant to the provisions of Chapter 13, Article 1, Section 25, of the West Virginia Code of 1931 as amended.

DARRELL V. MCGRAW, JR.

Charleston, West Virginia January 14, 2011



Global Credit Portal RatingsDirect®

February 16, 2011

Summary:

Hancock County Board Of Education, West Virginia; General Obligation

Primary Credit Analyst:

Danielle Leonardis, New York (1) 212-438-2053; danielle_leonardis@standardandpoors.com

Secondary Contact:

Hilary A Sutton, New York 212-438-7093; hilary_sutton@standardandpoors.com

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Hancock County Board Of Education, West Virginia; General Obligation

Credit Profile

US\$37. mil pub sch bnds ser 2011 due 05/01/2012-2036 *Long Term Rating*

AA/Stable

New

Rationale

Standard & Poor's Ratings Services assigned its 'AA' rating, and stable outlook, to Hancock County Board of Education, W.Va.'s series 2011 general obligation (GO) public school bonds.

The rating reflects what we view as the board's eligibility for, and participation in, West Virginia's municipal bond program. The rating also reflects the state's strong debt service oversight and the legislature's replenishment provision for the bond commission's sinking fund. Under the program, West Virginia annually appropriates sufficient funds to meet any shortfall in an issuer's debt service payment to bondholders.

Standing Appropriation Programs

Standard & Poor's rates four different types of state programs, in more than 20 states, that provide enhancement for school bond issues. These program types include state guarantee, permanent fund, standing or annual appropriation, and state intercept or withholding programs. Each state program is analyzed according to the program type and the rating is based on the characteristics of the particular program and funding mechanisms. West Virginia is one of five states with Standard & Poor's- rated standing appropriation programs, along with California, Minnesota, New Jersey and Texas. Because appropriation programs are dependent on the ability of a state to use its cash reserves to make up any debt service deficiencies, a program's rating is directly linked to the state's own credit quality. Therefore, the program rating will move in tandem with its related state rating, keeping the relative rating differential between the program rating and the state rating constant. The program's rating outlook will always reflect the state's rating outlook.

West Virginia's Municipal Bond Program

As authorized by Chapter 13, Article 3 of the West Virginia Code, the state's bond commission serves as the bond trust agent, administering the GO debt sinking funds for the state's school districts and municipalities. In addition, the commission has debt service levy oversight. All funds collected to meet debt service on a municipality's GO bonds are turned over to the commission for payment of debt service.

In addition to this statutory provision, the commission's administrative guidelines include notifying the local government unit 35 days before a debt service payment, if available funds are insufficient for debt service. If sufficient funds are not on hand 15 days before the debt service payment, the entity is contacted again. Whenever the amount deposited for any issuer is not sufficient to meet the interest or principal due, it shall be the duty of the school district's treasurer, upon being notified of that fact by the commission, to immediately remit all funds in his possession that have been earmarked by the issuer for the purpose of amortizing bonded indebtedness plus such additional funds as are necessary to meet the interest or principal due. Since 1921, the state legislature has made an

annual blanket appropriation in the budget authorizing the governor to meet any deficiency in the state sinking fund because of a school district or governmental unit's failure to meet its debt service obligations.

Hancock County Board of Education

Hancock County Board of Education is coterminous with Hancock County in West Virginia's northern panhandle. The district serves a population estimate of 29,729. Student enrollment at its five elementary schools, three high schools, two middle schools, and one vocational and technical school totaled 4,316 in fiscal 2010. Officials plan to use bond proceeds to finance various school capital projects.

Outlook

The outlook reflects the outlook on the state's GO bond rating.

Related Criteria And Research

USPF Criteria: State Credit Enhancement Programs, Nov. 13, 2008

Complete ratings information is available to subscribers of RatingsDirect on the Global Credit Portal at www.globalcreditportal.com. All ratings affected by this rating action can be found on Standard & Poor's public Web site at www.standardandpoors.com. Use the Ratings search box located in the left column.

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Morna Lebron
Manager Fee Administration
55 Water Street, 38th Floor
New York, NY 10041-0003
tel 212 438-6808
morna lebron@standardandpoors.com

issue no.: 1159104

January 19, 2011

The Board of Education of the County of Hancock 104 North Court Street
New Cumberland, WV 26047
Attention: Ms. Suzan Smith, Superintendent

Re: US\$37,000,000 The Board of Education of the County of Hancock (West Virginia), Public School Bonds, Series 2011, dated: Date of Delivery, due: May 1, 2012-2036

Dear Ms. Smith:

Thank you for your request for a Standard & Poor's rating for the above-referenced obligations. In accepting a Standard & Poor's rating, you agree to accept and comply with this letter and the enclosed Terms and Conditions.

Please return this executed engagement as soon as possible as no significant analytical work will commence until it is received. Return directly to PublicFinanceEngagementLtrs@sandp.com

We will make every effort to provide you with the high level of analytical performance and knowledgeable service for which we've become known worldwide. You will be contacted directly by your assigned analytic team.

In consideration of our analytic review and issuance of the rating, you agree to pay us the following fees:

Rating Fee of \$16,000. Standard & Poor's reserves the right to adjust the rating fee if the proposed par amount changes. Payment of the fee is not conditioned on Standard & Poor's issuance of any particular rating.

<u>Derivatives Products analysis fee</u>. Standard & Poor's charges a separate fee for our review of derivative products. This separate fee is applicable for derivative products secured by any of the issuer/obligor's revenues. Derivative products include, but are not limited to, interest rate swaps, caps, collars, floors, and swaptions. Derivative products analysis fees will be determined on a case-by-case basis based on the number and complexity of the derivative products.

Other fees and expenses. You will reimburse Standard & Poor's for reasonable travel and legal expenses if such expenses are not included in the fee. Should the rating not be issued, you agree to compensate us based on our time, effort, and charges incurred through the date upon which it is determined that the rating will not be issued.

Ms. Suzan Smith Page 2 January 19, 2011

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If you request a confidential rating under this Agreement, you agree that the rating will be exclusively for your internal use, and not to disclose it to any third party other than your professional advisors who are bound by appropriate confidentiality obligations.

Please sign below to indicate your acceptance of this letter and the enclosed terms and conditions and return the signed original of this letter to me as soon as possible.

Please feel free to contact me if you have any questions or suggestions about our fee policies. In addition, please visit our web site at www.standardandpoors.com for our ratings definitions and criteria, research highlights, and related information. We appreciate your business and look forward to working with you.

Sincerely yours,

Standard & Poor's Ratings Services a Standard & Poor's Financial Services LLC business

By:

Morna Lebron

Manager Fee Administration

Moma Libron

Ms. Suzan Smith Page 3 January 19, 2011

cc: Ms. Marie L. Prezioso, Director Raymond James & Associates, Inc.

CONFIRMED, AGREED AND ACCEPTED AS OF THE DATE FIRST ABOVE WRITTEN

The Board of Education of the County of Hancock

Name: Title:

Suzan L. Smith Superintendent

HANCOCK COUNTY SCHOOLS



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assessments on a limited basis and subject to various restrictions; however, Ratings Services cannot control any such use or dissemination.

Entire Agreement. Nothing in this Agreement shall prevent Ratings Services from acting in accordance with applicable laws, regulations and Ratings Services' policies as published from time to time. Subject to the prior sentence, this Agreement, including any amendment made in accordance with provisions hereof, constitutes the complete and entire agreement between the parties on all matters regarding the rating provided hereunder. The terms of this Agreement supersede any other terms and conditions relating to information provided to Ratings Services by you or your agents and advisors hereunder, including without limitation, terms and conditions found on, or applicable to, websites or other means through which you or your agents and advisors make such information available to Ratings Services, regardless if such terms and conditions are entered into before or after the date of this Agreement. Such terms and conditions shall be null and void as to Ratings Services.

Limitation on Damages. Ratings Services does not and cannot guarantee the accuracy, completeness, or timeliness of the information relied on in connection with a rating or the results obtained from the use of such information. RATINGS SERVICES GIVES NO EXPRESS OR IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE. Ratings Services, its affiliates or third party providers, or any of their officers, directors, shareholders, employees or agents shall not be liable to you, your affiliates or any person asserting claims on your behalf, directly or indirectly, for any inaccuracies, errors, or omissions, in each case regardless of cause, actions, damages (consequential, special, indirect, incidental, punitive, compensatory, exemplary or otherwise), claims, liabilities, costs, expenses, legal fees or losses (including, without limitation, lost income or lost profits and opportunity costs) in any way arising out of or relating to the rating provided hereunder or the related analytic services even if advised of the possibility of such damages or other amounts except to the extent such damages or other amounts are finally determined by a court of competent jurisdiction in a proceeding in which you and Ratings Services are parties to result from gross negligence or willful misconduct of Ratings Services. In furtherance and not in limitation of the foregoing, Ratings Services will not be liable to you, your affiliates or any person asserting claims on your behalf in respect of any decisions alleged to be made by any person based on anything that may be perceived as advice or recommendations. In the event that Ratings Services is nevertheless held liable to you, your affiliates, or any person asserting claims on your behalf for monetary damages under this Agreement, in no event shall Ratings Services be liable in an aggregate amount in excess of seven times the aggregate fees paid to Ratings Services for the rating giving rise to the cause of action, up to a maximum of US\$5,000,000 except to the extent such monetary damages directly result from Ratings Services' intentional wrongdoing or willful misconduct. The provisions of this paragraph shall apply regardless of the form of action, damage, claim, liability, cost, expense, or loss, whether in contract, statute, tort (including, without limitation, negligence), or otherwise. Neither party waives any protections, privileges, or defenses it may have under law, including but not limited to, the First Amendment of the Constitution of the United States of America.

<u>Termination of Agreement.</u> This Agreement may be terminated by either party at any time upon written notice to the other party. Except where expressly limited to the term of this Agreement, these Terms and Conditions shall survive the termination of this Agreement.

<u>No Third—Party Beneficiaries</u>. Nothing in this Agreement, or the rating when issued, is intended or should be construed as creating any rights on behalf of any third parties, including, without limitation, any recipient of the rating. No person is intended as a third party beneficiary of this Agreement or of the rating when issued.

Binding Effect. This Agreement shall be binding on, and inure to the benefit of, the parties hereto and their successors and assigns.

<u>Severability</u>. In the event that any term or provision of this Agreement shall be held to be invalid, void, or unenforceable, then the remainder of this Agreement shall not be affected, impaired, or invalidated, and each such term and provision shall be valid and enforceable to the fullest extent permitted by law.

Amendments. This Agreement may not be amended or superseded except by a writing that specifically refers to this Agreement and is executed manually or electronically by authorized representatives of both parties.

Governing law. You irrevocably agree that this Agreement and the rating letter, for purposes of any claim against Rating Services that may be asserted by you, your affiliates or any person asserting claims on your behalf, shall be governed by the internal laws of the State of New York. You irrevocably agree that, for purposes of any claim against Rating Services that may be asserted by you, your affiliates or any person asserting claims on your behalf in any dispute arising out of or relating to this Agreement, the state courts of New York located in the County of New York or the U.S. federal court for the Southern District of New York shall be the exclusive forums for such disputes and the parties hereby consent to the personal jurisdiction of such courts. For purposes of any claim against you that Rating Services may assert in any dispute arising out of or relating to the Agreement, neither party waives its right to contest the applicable governing law or the appropriate forum, including in connection with any assertion of sovereign immunity.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, WEST VIRGINIA \$37,000,000 PUBLIC SCHOOL BONDS, SERIES 2011

DIRECTION TO AUTHENTICATE AND DELIVER BONDS

WesBanco Bank, Inc.
1 Bank Plaza
Wheeling, West Virginia 26003

Ladies Gentlemen:

There are delivered to you herewith:

- 1. Bonds Nos. R-1 through R-25, constituting the entire original issue of The Board of Education of the County of Hancock Public School Bonds, Series 2011, dated March 10, 2011, in the aggregate principal amount of \$37,000,000 (the "Bonds") executed by the President and Secretary of The Board of Education of the County of Hancock(the "Issuer") and bearing the official seal of the Issuer. The Bonds are authorized to be issued under and pursuant to a Resolution adopted by the Issuer on July 12, 2010, (the "Resolution");
 - 2. A copy of the Resolution, duly certified by the Secretary of the Issuer;
- 3. A list of the names in which the Bonds are to be registered upon original issuance, together with taxpayer identification information as requested by you (see below);
- 4. A signed, unqualified approving opinion of nationally recognized Bond Counsel designated by the Issuer and acceptable to the Original Purchaser.

You are hereby requested and authorized to authenticate, register the Bonds in the name of "CEDE & CO." and deliver the Bonds to The Depository Trust Company in New York, New York, on behalf of Wells Fargo Bank, National Association as original purchaser thereof.

Dated this 10th day of March, 2011.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, WEST VIRGINIA

President



School Building Authority of West Virginia

Dr. Mark A. Manchin, Executive Director

2300 Kanawha Boulevard, East • Charleston, West Virginia 25311-2306 • Office Number (304) 558-2541 • FAX Number (304) 558-2539

May 12, 2010

RECEIVED

Ms. Suzan Smith
Superintendent
Hancock County Schools
P.O. Box 1300
New Cumberland, WV 26047-9521

MAY 19 2010

HANCOCK COUNTY BOARD OF EDUCATION

Dear Ms. Smith:

Congratulations! The School Building Authority of West Virginia at a Quarterly Meeting on April 26, 2010, approved a School Construction Fund Grant for Hancock County in the amount of \$19,000,000. The grant was awarded for a new elementary school (PK-4). Funds from this grant are for the project described in the enclosed Grant Agreement and not to be expended for any other purpose.

This grant award is contingent upon the passage of a local bond issue in the approximate amount of \$36,000,000 scheduled by November 2, 2010. If this bond issue is successful, this project will require additional funding in the amount of \$9,500,000. The Project Development Schedule (Exhibit A-2) will begin immediately following the passage of the bond issue.

Attached you will find your grant contract and a project development schedule (see Attachment A-2). This schedule must be followed to avoid delay costs that will ultimately raise the county's financial responsibility for the project. If you have not already done so, I encourage you to immediately begin the process to hire a design professional to assist you with the project. This will enable you to move smoothly and quickly to the planning and design phase of your project.

A total of \$19,000,000 in SBA funds has been committed toward this project with a two year multi-funding schedule as follows:

FY 2011 \$9,500,000

FY 2012 \$9,500,000

Upon the successful passage of your bond, we will be able to transfer funds into your account at United National Bank. We have enclosed the Grant Agreement for this project and encourage your signature as soon as possible. Please sign all three of the enclosed copies retaining one copy for your records and return the remaining two copies of the contract to our office. Funds cannot be transferred without the signed contract returned to the SBA. We wish you all the best regarding your bond program and if we can be of any assistance, please do not hesitate to call.

Suzan Smith, Superintendent Page 2 May 12, 2010

We are pleased that you will be receiving sufficient funds to address your project. If you have any questions, please call on me.

Sincerely,

Dr. Mark A. Manchin Executive Director

MAM:kc

Attachment/Enclosure

f:\countyfiles\hancock042610grantltr.wpd

PROJECT DEVELOPMENT SCHEDULE Exhibit A-2 HANCOCK - NEW ELEMENTARY SCHOOL (PK-4)

High School Schedule

Milestone	Timeframe (months)
1. Planning	3
2. Schematic design	2.5
3. Design development and technology plan	4
4. Bidding documents	3.5
5. Bidding and contract award	1
6. Construction	22
Total time	36

Middle School Schedule

Milestone	Timeframe (months)
1. Planning	3
2. Schematic design	3
3. Design development and technology plan	4
4. Bidding documents	4
5. Bidding and contract award	1
6. Construction	18
Total time	33

Elementary School Schedule

(TENATIVE UPON BOND ISSUANCE)

Milestone	Timeframe (months)	
Planning Schematic design Design development and technology plan Bidding documents Bidding and contract award Construction	February 15, 2011 May 15, 2011 July 15, 2011 November 15, 2011 December 15, 2011 February 15, 2013	(3 months) (3 months) (2 months) (4 months) (1 month) (14 months)
Total time	27	

The project development schedule begins on the date of the notification of the grant award to the county. It is imperative that the project move forward based on the schedule provided. You should the planning phase of your project immediately by hiring school planning, design and when applicable, consruction management professionals to assist you with the planning and programming phase of your project. This phase must be completed and approved by the SBA withinin the number of days indicated in the above Phase 1 timeframe. The deadlines for all submission and SBA approval for all phases of the project are also provided above. If the project is delayed in any phase at the county level as a result of timelines not being met, the SBA will require the grant recipient to pay delay costs based on the current annual construction inflation rate, prorated over the number of days the project is delayed. Design Build project schedules will be adjusted to comply with the requirements of WV Code and the SBA Deisign/Build Policy. Major addition and renovation project schedules will be established jointly with the grant recipient, project architect or design builder and the SBA based on the size and complexity of the project. The project development schedule shall be provided to your design professionals to allow them to adjust their schedule to meet the project development schedule.

Unless approved by the SBA the construction timeline will be dictated by the completion dates days provided by the contractors within the bid. The construction timeframes indicated above are approximate.



School Building Authority of West Virginia

Dr. Mark A. Manchin, Executive Director

2300 Kanawha Boulevard, East • Charleston, West Virginia 25311-2306 • Office Number (304) 558-2541 • FAX Number (304) 558-2539

December 14, 2010

RECEIVED

Ms. Suzan Smith
Superintendent
Hancock County Schools
P.O. Box 1300
104 North Court Street
New Cumberland, WV 26047-9521

DEC 1 - 2010

HANCOCK COUNTY BOARD OF EDUCATION

Dear Ms. Smith:

I am pleased to inform you that on December 13, 2010, at their Quarterly meeting, the School Building Authority approved an amendment to your 2000-2010 Comprehensive Educational Facilities Plan (CEFP). The amendment provides for the following:

- 1. Updating the projected enrollment, size and cost of the proposed New Weirton Elementary School.
- 2. Deleting the proposed science additions and increasing the scope of the proposed science renovations at Oak Glen High School and Weir High School.
- 3. Adding proposed music room renovations at Oak Glen High School, Weir High School and Weir Middle School.
- 4. Adding construction of a proposed multi-use sports stadium facility at Weir High School.

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,

Dr. Mark A. Manchin

Executive Director

MAM:kc

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THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK **PUBLIC SCHOOL BONDS, SERIES 2011** (WEST VIRGINIA)

NO. R-1

MATURITY DATE

BOND DATE

\$595,000

May 1, 2012

March 10, 2011

FIVE HUNDRED NINETY-FIVE THOUSAND AND

CUSIP

INTEREST RATE 3.00%

410090 CC6

REGISTERED OWNER:

CEDE & CO. SPECIALEN

PRINCIPAL AMOUNT: 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-2

MATURITY DATE May 1, 2013 **BOND DATE**

\$865,000

INTEREST RATE

3.00%

March 10, 2011

SPECIMEN

CUSIP 410090 CD4

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: EIGHT HUNDRED SIXTY-FIVE THOUSAND AND 00/100

DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-3

MATURITY DATE

BOND DATE

\$900,000

May 1, 2014
INTEREST RATE

3.00%

March 10, 2011

SPECIFIEN

CUSIP 410090 CE2

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: NINE HUNDRED THOUSAND AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-4

MATURITY DATE

BOND DATE

\$945,000

May 1, 2015

March 10, 2011

CUSIP

INTEREST RATE

3.00%

410090 CF9

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: NINE HUNDRED FORTY-FIVE THOUSAND AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-5

MATURITY DATE

BOND DATE

\$985,000

May 1, 2016

March 10, 2011

CUSIP

INTEREST RATE 3.00%

CUSIP 410090 CG7

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: NINE HUNDRED EIGHTY-FIVE THOUSAND AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-6

MATURITY DATE May 1, 2017 BOND DATE

\$1,030,000

INTEREST RATE

3.00%

March 10, 2011

STECHTE

CUSIP 410090 CH5

REGISTERED OWNER:

PRINCIPAL AMOUNT:

CEDE & CO.

ONE MILLION THIRTY THOUSAND AND 00/100

DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-7

MATURITY DATE May 1, 2018 BOND DATE

\$1,080,000

INTEREST RATE

3.00%

March 10, 2011

CUSIP 410090 CJ1

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT:

ONE MILLION EIGHTY THOUSAND AND 00/100

DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-8

MATURITY DATE

BOND DATE

\$1,130,000

May 1, 2019

March 10, 2011

INTEREST RATE

5.00%

SPECIMEN

CUSIP 410090 CK8

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT:

ONE MILLION ONE HUNDRED THIRTY THOUSAND

AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK **PUBLIC SCHOOL BONDS, SERIES 2011** (WEST VIRGINIA)

NO. R-9

MATURITY DATE May 1, 2020

BOND DATE

\$1,180,000

INTEREST RATE

3.00%

March 10, 2011

CUSIP 410090 CL6

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: ONE MILLION ONE HUNDRED EIGHTY THOUSAND

DE CAMPA

AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-10

MATURITY DATE May 1, 2021 **BOND DATE**

\$1,235,000

INTEREST RATE

3.25%

March 10, 2011

Ch. Cily

CUSIP 410090 CM4

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: ONE MILLION TWO HUNDRED THIRTY FIVE

THOUSAND AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK **PUBLIC SCHOOL BONDS, SERIES 2011** (WEST VIRGINIA)

NO. R-11

MATURITY DATE May 1, 2022

BOND DATE

\$1,290,000

INTEREST RATE

5.00%

March 10, 2011

CUSIP 410090 CN2

REGISTERED OWNER:

CEDE & CO.

SPECIME

PRINCIPAL AMOUNT: ONE MILLION TWO HUNDRED NINETY THOUSAND

AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-12

MATURITY DATE

BOND DATE

\$1,350,000

INTEREST RATE 5.00%

May 1, 2023

March 10, 2011

CUSIP 410090 CP7

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: ONE MILLION THREE HUNDRED FIFTY THOUSAND

SPECIAN

AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-13

MATURITY DATE May 1, 2024 BOND DATE

\$1,415,000

INTEREST RATE

5.00%

March 10, 2011

STEVIAL

CUSIP 410090 CO5

CEDE & CO.

PRINCIPAL AMOUNT: ONE MILLION FOUR HUNDRED FIFTEEN THOUSAND

AND 00/100 DOLLARS

REGISTERED OWNER:

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK **PUBLIC SCHOOL BONDS, SERIES 2011** (WEST VIRGINIA)

NO. R-14

MATURITY DATE

BOND DATE

\$1,480,000

INTEREST RATE 4.00%

May 1, 2025

March 10, 2011

CUSIP 410090 CR3

CEDE & CO.

SPECIAL PRINCIPAL AMOUNT: ONE MILLION FOUR HUNDRED EIGHTY THOUSAND

AND 00/100 DOLLARS

REGISTERED OWNER:

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-15

MATURITY DATE May 1, 2026 **BOND DATE**

\$1,545,000

INTEREST RATE

4.00%

March 10, 2011

CUSIP 410090 CS1

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: ONE MILLION FIVE HUNDRED FORTY FIVE THOUSAND AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-16

MATURITY DATE

BOND DATE

\$1,620,000

May 1, 2027 INTEREST RATE

4.00%

March 10, 2011

CUSIP 410090 CT9

REGISTERED OWNER: CI

CEDE & CO.

PRINCIPAL AMOUNT:

ONE MILLION SIX HUNDRED TWENTY THOUSAND

AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-17

MATURITY DATE

BOND DATE

\$1,695,000

May 1, 2028

March 10, 2011

CUSIP 410090 CU6

INTEREST RATE 4.25%

SPECIMEN

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: ONE MILLION SIX HUNDRED NINETY-FIVE THOUSAND AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-18

MATURITY DATE May 1, 2029 **BOND DATE**

\$1,770,000

INTEREST RATE

March 10, 2011

CUSIP 410090 CV4

4.25%

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: ONE MILLION SEVEN FUNDRED SEVENTY THOUSAND

AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK **PUBLIC SCHOOL BONDS, SERIES 2011** (WEST VIRGINIA)

NO. R-19

MATURITY DATE

BOND DATE

\$1,850,000

May 1, 2030 INTEREST RATE

4.375%

March 10, 2011

CUSIP 410090 CW2

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: ONE MILLION EIGHT HUNDRED FIFTY THOUSAND

AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK **PUBLIC SCHOOL BONDS, SERIES 2011** (WEST VIRGINIA)

NO. R-20

MATURITY DATE May 1, 2032

BOND DATE March 10, 2011 \$3,960,000

INTEREST RATE

4.50%

CUSIP 410090 CY8

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: THREE MILLION NIN HUNDRED SIXTY THOUSAND

AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK PUBLIC SCHOOL BONDS, SERIES 2011 (WEST VIRGINIA)

NO. R-21

MATURITY DATE May 1, 2034 **BOND DATE**

\$4,335,000

INTEREST RATE

4.50%

March 10, 2011

CUSIP 410090 DA9

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT: FOUR MILLION

DIREE HUNDRED THIRTY-FIVE

THOUSAND AND 00/100 DOLLARS

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK **PUBLIC SCHOOL BONDS, SERIES 2011** (WEST VIRGINIA)

NO. R-22

MATURITY DATE

BOND DATE

\$4,745,000

May 1, 2036

March 10, 2011

INTEREST RATE 4.75%

CUSIP 410090 DC5

REGISTERED OWNER:

CEDE & CO.

PRINCIPAL AMOUNT:

HUNDRED FORTY-FIVE

FOUR MILLION THOUSAND AND 00/100 DOLLARS

The Bonds maturing on or after May 1, 2022, are subject to redemption on or after May 1, 2021, at the option of the Board, in whole at any time or in part on any interest payment date, from any moneys available for such purpose, at the applicable Redemption Price of 100% of principal amount to be so redeemed, plus interest, if any, accrued to the date fixed for redemption.

The Series 2011 Bonds maturing on May 1, 2032, May 1, 2034 and May 1, 2036 are subject to mandatory annual sinking fund redemption of principal on May 1, in the years and in the amounts set forth below, without premium, plus interest accrued to the dates of such redemption.

Term Bonds Maturing May 1, 2032

Term Bonds Maturing May 1, 2034

<u>Year</u>	<u>Principal</u>	Year	Principal
2031	\$1,935,000	2033	\$2,120,000
2032*	\$2,025,000	2034*	\$2,215,000

Term Bonds Maturing May 1, 2036

<u>Year</u>	Principal Principal		
2035	\$2,320,000		
2036*	\$2,425,000		

*Denotes Final Maturity

In the event of such optional redemption, the Board may direct the maturity or maturities of the Bonds and the amounts thereof to be redeemed, provided that the Bonds will be redeemed in whole multiples of \$5,000 in principal amount and in the minimum principal amount of \$50,000.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS BOND SET FORTH ON THE REVERSE HEREOF, WHICH FURTHER PROVISIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH HEREIN.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required by the laws of the State of West Virginia to exist, to have happened or to have been performed, precedent to or in connection with the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of West Virginia, and that legal provision has been made by the Board for the levy and collection of a direct annual tax sufficient in amount to meet the payment of the interest and principal hereof, which shall have precedence over all other taxes for any purpose whatever, except bond issues heretofore or hereafter authorized and issued under the five percent limitation provided by the Better

Schools Amendment of the Constitution of West Virginia, and said tax is levied outside the limits fixed by Section 1, Article X of the Constitution of the State of West Virginia in the manner provided by Sections 8 and 10, Article X of the State Constitution; that said levies do not exceed any constitutional or statutory limitations; and that said levies do not exceed any constitutional or statutory limitations; and that the amount of this Bond, together with all other indebtedness of the Board, does not exceed any statutory or constitutional limitation thereon.

For payment of both principal and interest hereof, the full faith, credit and resources of the Board are hereby irrevocably pledged within the limitations prescribed by the Constitution and statutes of the State of West Virginia.

The Board has covenanted in the Resolution and Order described on the reverse hereof that it shall include in its budget the amount of the debt service for each fiscal year of the Board in which principal and/or interest on the Bonds is payable, that it shall appropriate from its revenues any such sums for the payment of such debt service and that it shall duly and punctually cause to be paid, when due, the principal of and interest on the Bonds.

The Board and the Registrar shall not be required to issue or transfer any Bonds during a period beginning with the close of business on the Record Date next preceding any Interest Payment Date and ending at the close of business on such Interest Payment Date.

Subject to the registration requirements set forth herein, this Bond, under the provisions of the Act, is and has all the qualities and incidents of a negotiable instrument under the Uniform Commercial Code of the State of West Virginia.

The Board has caused CUSIP numbers to be printed on the Bonds and has directed the Paying Agent to use such numbers in notices, if any, as a convenience to bondholders. No representation is made as to the accuracy of such numbers either as printed on the Bonds or as contained in any notice.

This Bond shall not be entitled to any benefit under the Resolution and Order nor shall it be valid, obligatory or enforceable for any purpose upon the Certificate of Authentication and Registration shall have been signed to have been along the Laying Agent.

litho in U.S./

IN WITNESS WHEREOF, THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK has caused this Bond to be duly signed in its name and on its behalf by its President and countersigned by its Secretary and has caused its corporate seal to be hereto affixed in the manner provided in the Resolution and Order, and has caused this Bond to be dated as of the Bond Date specified above.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

(SEAL)

President CIMENS

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the Bonds of the Series designated therein, described in the within-mentioned Resolution and Order, and has been duly registered in the name of the Registered Owner set forth above, as of the date set forth below. Attached hereto is the complete text of the opinion of Bowles Rice McDavid Graff & Love LLP, Bond Counsel, a signed original of which is on file with the undersigned, delivered and dated on the date of the original delivery of and payment for the Bonds.

Dated: March 10, 2011.

WESBANCO BANK, INC.

y: Vike President and Trust Officer

FURTHER PROVISIONS

This Bond is one of a series of bonds of the Board designated as "Public School Bonds, Series 2011" (the "Bonds"), issued by the Board in the aggregate principal amount of Thirty-Seven Million Dollars (\$37,000,000). The Bonds were authorized to be issued by a majority of voters at a general election held on November 2, 2010. The Bonds are in fully registered form, without coupons, and are issued under the authority of and in full compliance with the Constitution and statutes of the State of West Virginia, including particularly, Chapter 13, Article 1 of the West Virginia Code of 1931, as amended (the "Act") and a Resolution and Order (the "Resolution and Order") duly adopted by the Board for the purpose of providing funds for the acquisition, construction, renovation and other capital expenditures of five (5) projects as permitted by law, with all necessary appurtenances, situated in Hancock County School District. The terms and provisions of the Order are hereby incorporated by reference as if set forth fully herein.

This Bond may be transferred or exchanged by the Registered Owner hereof upon surrender of this Bond to the Registrar at its principal corporate trust office, accompanied by a written instrument or instruments of transfer in form, with instructions, and with guaranty of signature satisfactory to the Registrar, duly executed by the Registered Owner of this Bond or his attorney-in-fact or legal representative. Registrar shall enter any transfer of Ownership of this Bond in the registration books and shall authenticate and deliver in the name of the transferee or transferees a new fully registered bond or bonds of authorized denominations of the same maturity and form for the aggregate amount which the transferee is entitled to receive at the earliest practicable time. The Board and the Paying Agent may deem and treat the Registered Owner hereof as the absolute Owner thereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the Board and the Paying Agent shall not be affected by any notice to the contrary. All payments made to the Registered Owner of a Bond, as herein provided, shall be valid and effectual to satisfy in full and discharge the liability of the Board upon the Bond as paid.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon or on the Resolution, against any member, officer or employee, past, present or future, of the Board or of any successor body, as such, either directly or through the Board or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of uch members, officers or employees is released as a condition of and as considerable for the issuance of this Bond.

ASSIGNMENT

Social	Securi	ity	or	Other]	Identifying	Number	of	Assignee
transfers within		R VA	LUE I			the undersign	constitut	·	the appoint
transfer substituti				books l	kept	for registration	on thereof	with fu	to ll power of
Dated:					•				
						SIGNA	TURE GU	ARANT	EED:

(Bank, Trust Contrally or Firm)

(Authorized Officer)

NOTICE: The Assignor's signature to this Assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

ATTORNEY GENERAL'S APPROVAL

I, DARRELL V. McGRAW, JR., Attorney General of the State of West Virginia, do hereby certify that this Bond has been approved by me by virtue of the authority vested in me by Article 1, Chapter 13, of the Code of West Virginia of 1931, as amended, that notice of my approval hereof was published as required by Section 25 of said Article 1; that 10 days have elapsed since the date of the last publication of such notice; that there has been no appeal from my approval to the Supreme Court of Appeals; and that this Bond has become incontestable, under and by virtue of the provisions of said Article 1, Chapter 13, and is a binding obligation upon The Board of Education of the County of Hancock, a corporation, the authority issuing the same, and upon the taxable property within Hancock County School District, and that by reason of the provisions of said Article 1, Chapter 13, no one has the right hereafter to contest in any court or in any action or proceeding the validity of this Bond for any cause whatsoever.

WITNESS my hand this the 10H day of March 2011.

Actorney General of the State of West Virginia

\$37,000,000 THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA) PUBLIC SCHOOL BONDS, SERIES 2011

GENERAL CERTIFICATE OF THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK:

- 1. TERMS
- 2. NO LITIGATION
- 3. AWARD OF BONDS; SIGNATURES
- 4. DELIVERY AND PAYMENT
- 5. AUTHORIZATION, EXECUTION AND DELIVERY OF BOND DOCUMENTS
- 6. NO ADVERSE FINANCIAL CHANGE; INDEBTEDNESS
- 7. MEETINGS, INC.
- 8. INCUMBENCY AND OFFICIAL NAME
- 9. SIGNATURES
- 10. SBA GRANT
- 11. GOVERNMENTAL APPROVALS AND BIDDING
- 12. PROCUREMENT OF ARCHITECTURAL/ENGINEERING SERVICES
- 13. USE OF BOND PROCEEDS
- 14. DESIGNATION OF REGISTRAR AND PAYING AGENT
- 15. OTHER DOCUMENTS
- 16. DISCLOSURES
- 17. SPECIMEN BOND

The undersigned PRESIDENT and the undersigned SUPERINTENDENT and SECRETARY of The Board of Education of the County of Hancock (West Virginia) (the "Issuer"), a public corporation of the State of West Virginia (the "State"), HEREBY CERTIFY, for and on behalf of the Issuer, to Wells Fargo Bank, National Association, as original purchaser ("Purchaser") from the Issuer of the above-captioned bond issue and other interested parties as follows, jointly unless otherwise stated, all capitalized terms not otherwise defined herein to have the meanings given in the Resolution, herein defined:

1. TERMS: All capitalized words and terms used in this General Certificate and not otherwise defined herein shall have the same meanings as in the Resolution and Order Directing Issuance of the Bonds adopted November 29, 2011 (the "Resolution").

- NO LITIGATION. No controversy or litigation of any nature is now 2. pending or threatened, restraining, enjoining, or affecting in any manner the issuance, sale and delivery of the Bonds or the collection of the ad valorem tax levies or the pledge thereof to the payment of the principal of and interest on the Bonds, nor in any manner questioning the proceedings and authority by which the Issuer authorized the issuance, sale and delivery of the Bonds nor in any manner affecting the validity or enforceability of the Bonds, the Resolution, the bidding procedures relating to sale of the Bonds, or any agreement or instrument relating thereto, or any provisions made or authorized for the payment of the Bonds, nor in any manner questioning the valid existence of the Issuer or the authority or titles of the President, Secretary and the members of the Board and other officials of the Issuer to their respective offices; nor in any manner questioning any proceeding, procedure, action or thing followed, taken or done in connection with the authorization, sale and delivery of the Bonds; nor wherein an adverse judgment or ruling could have a material adverse impact on the financial condition of the issuer or adversely affect the power of the Issuer to levy, collect and enforce the collection of taxes or other revenues for the payment of the Bonds, or the acquisition and construction of the Projects financed with proceeds of the Bonds which is not set forth in the Official Statement relating to the Bonds.
- 3. AWARD OF BONDS; SIGNATURES: Pursuant to Chapter 13, Article 1 of the West Virginia Code of 1931, as amended (the "Act"), the Bonds were duly and properly advertised for sale and seven (7) bids were received, the best bid being that of Wells Fargo Bank, National Association, all as appears from the minutes of the Issuer of its special meeting of February 24, 2011, a copy of which is delivered herewith. The Bonds were thereupon awarded to Wells Fargo Bank, National Association (the "Purchaser"), at the price of \$37,006,007.45. The Bonds were duly signed by the manual signature of the President and countersigned by the manual signature of the Superintendent and Secretary, and the official seal of the Issuer, which seal is impressed upon this Certificate, was impressed thereon. The Attorney General's Approval of the Bonds was signed upon each of the Bonds by Darrell V. McGraw, Jr., Attorney General of the State of West Virginia.
- 4. DELIVERY AND PAYMENT: The undersigned President did, on the date hereof, deliver to the Purchaser, through DTC, in New York, New York, the entire issue

of the Bonds, in denominations equal to the principal amounts maturing on May 1 in each of the years 2012 to 2036, inclusive and numbered R-1 to R-25, inclusive.

At the time of delivery of the Bonds, there was paid to the Issuer the agreed price therefore as follows:

Purchase Price [Plus Premium] Total Received

\$37,000,000.00 \$6,007.45 \$37,006,007.45

5. AUTHORIZATION, EXECUTION AND DELIVERY OF BOND DOCUMENTS: The following documents (the "Bond Documents") conform with the forms prescribed in the Resolution, the execution and delivery thereof (where applicable) having been duly authorized, and each such document requiring execution by the Issuer has been properly executed by the President, by his manual signature, in multiple counterparts thereof and the Bond Documents have not been amended, altered, supplemented, repealed, canceled, superseded or modified since the authorization thereof and have been delivered to the Registrar and others:

Bond Election Order

Resolution and Order Directing Issuance of Bonds

Certificate of Valuation of Taxable Property

Minutes (or excerpt) of Board Meetings of July 12, 2010, November 29, 2010, and February 24, 2011

Attorney General's Approval

Affidavits of Publication of Attorney General's Approval

Copy of Letter of Clerk of the Supreme Court of Appeals of West Virginia

Official Notice of Sale

Affidavits of Publication of Notice of Sale

Preliminary Official Statement

Bids of Wells Fargo Bank, National Association and (6) Other Bidders

Official Statement

Registrar Agreement

SBA Grant Commitment

Tax and Arbitrage Certificate

Continuing Disclosure Agreement

Specimen Bond

S&P Rating Letter

IRS Form 8038G.

- 6. NO ADVERSE FINANCIAL CHANGE; INDEBTEDNESS: There has been no adverse change in the financial condition of the Issuer since June 30, 2010, except as may be set forth in the Official Statement. There is not any indebtedness or obligation of the Issuer outstanding and unpaid or for which full and irrevocable provision for payment has not been made which has priority over or ranks on a parity with the Bonds as to the sources of and security for payment.
- 7. MEETINGS, ETC.: All actions, resolutions, orders and agreements taken by and entered into by or on behalf of the Issuer in any way connected with the issuance of the Bonds or the design, acquisition, construction and equipping of the Project were authorized or adopted at meetings of the Board of the Issuer duly and regularly called and held pursuant to the Rules of Procedure of the Issuer and all applicable statutes, including Chapter 6, Article 9A of the Code of West Virginia, 1931, as amended, and a quorum of duly elected, qualified and acting board members of the Issuer was present and acting at all times during such meetings.

8. INCUMBENCY AND OFFICIAL NAME: The proper corporate title of the Issuer is "The Board of Education of the County of Hancock" and it is a public corporation of the State of West Virginia, in Hancock County of said state. The governing body of the Issuer is its Board, consisting of five members. The names and dates of commencement and termination of current terms of office of the members of the Issuer are as follows:

Name and Office	Date of Commencement of Office	Date of Termination of Office
Gerald Durante – President	07-01-08	06-30-12
Laura Greathouse – Member	07-01-10	06-30-14
John Manypenny – Member	07-01-10	06-30-14
Patsy Brancazio – Member	07-01-08	06-30-12
Toni Hinerman - Member	07-01-10	06-30-14

The duly appointed and acting officials of the Issuer are as follows:

Suzan Smith - Superintendent of Schools and Secretary

Joseph Campinelli - Director of Finance

The duly appointed and acting Special Counsel for the Issuer is Bowles Rice McDavid Graff & Love LLP, Morgantown, West Virginia.

9. SIGNATURES: Set forth below are our true and genuine signatures:

Gerald Durante - President

Suzan Smith - Superintendent/Secretary

- 10. SBA GRANT: The Issuer has obtained a commitment for a grant from the School Building Authority of West Virginia in the amount of not less than \$19,000,000 (the "Grant"), which Grant is available to be applied to the costs of the Project, as specified in the Grant Letter.
- 11. GOVERNMENTAL APPROVALS AND BIDDING: All applicable approvals, permits, exemptions, consents, authorizations, registrations and certificates required by law for the acquisition and construction of the Project and the issuance of the Bonds have been (or will be) duly and timely obtained and will remain in full force and effect during the

period of acquisition and construction of the Project. Competitive bids for all construction contracts relating to the Project will be solicited in accordance with Chapter 5, Article 22, Section 1 of the West Virginia Code of 1931, as amended.

- 12. PROCUREMENT OF ARCHITECTURAL/ENGINEERING SERVICES: The Issuer has compiled in all respects with the requirements of Chapter 5G, Article 1 of the West Virginia Code of 1931, as amended, in the procurement of architectural/engineering services to be paid from proceeds of the Bonds.
- 13. USE OF BOND PROCEEDS: On the date hereof, the Issuer received the entire principal amount of the Bonds, together with the net premium thereon, in the total amount of \$37,327,537.45. Such proceeds will be expended as follows:

Costs of Issuance \$ 398,530.00 Funds Available for Project Costs \$36,929,007.45

- 14 DESIGNATION OF REGISTRAR AND PAYING AGENT: The Issuer hereby confirms the appointment of WesBanco Bank, Inc., as Registrar and the West Virginia Municipal Bond Commission as Paying Agent for the Bonds.
- 15. OTHER DOCUMENTS: The Bond Documents and all other agreements, instruments, certificates and documents required to be executed or approved by the Issuer and delivered in order to carry out, give effect to and consummate the transactions contemplated by the Bond Documents have been duly authorized and executed or approved by the Issuer and delivered, and as of the date hereof each is in full force and effect.
- 16. DISCLOSURES: The information relating to the Issuer contained in the Official Statement is true and correct in all material respects, and nothing has come to the attention of the undersigned that would lead the undersigned to believe that the Official Statement contains any untrue and misleading statement of a material fact or omits to state any material fact relating to the Issuer necessary to make the statements therein, in the light of the circumstances under which they are made, not misleading.

	17.	SPECIMEN BOND:	Delivered	concurrently	herewith	is a	true	and
				,				
accurate spec	cimen of	the Bonds.						
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		[20000100 01 1 08			ı			

WITNESS our signatures and the official corporate seal of THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK on this 10th day of March, 2011.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

[SEAL]

By: Views

Its: Secretary

[Signature Page to General Certificate - Hancock County]

\$37,000,000

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA) Public School Bonds, Series 2011

TAX AND NON-ARBITRAGE CERTIFICATE

We, Gerald Durante, President and Suzan Smith, Superintendent and Secretary of The Board of Education of the County of Hancock, West Virginia (the "Issuer"), being officials of the Issuer duly charged with the responsibility for the issuance of the \$37,000,000 Public School Bonds, Series 2011, of the Issuer, dated March 10, 2011, (the "Bonds"), hereby certify as follows, jointly, unless otherwise stated, all capitalized terms used herein and not otherwise defined to have the meanings ascribed thereto in the Resolution and Order Directing Issuance of Bonds adopted by the Issuer on November 29, 2010, as supplemented and amended on February 24, 2011 (collectively, the "Resolution"), pursuant to which the Bonds are issued:

A. <u>DEFINITIONS</u>

Capitalized terms used herein which are not otherwise defined herein shall have the respective meanings set forth in the Bond Resolution and in Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"), and related Regulations. The following terms, when used in this Agreement, shall have the following meanings:

"Regulations" means the relevant regulations under the Code.

B. GENERAL

- 1. This certificate is being executed and delivered pursuant to Section 148 of the Code and Regulations. We are officers of the Issuer charged with the responsibility of issuing the Bonds. We are familiar with the facts, circumstances, and estimates herein certified and am duly authorized to execute and deliver this certificate on behalf of the Issuer.
 - 2. This certificate may be relied upon as the certificate of the Issuer.
- 3. The Bonds are being issued and sold by the Issuer pursuant to approval of the Issuer's electorate at a general election held on November 2, 2010, and pursuant to Chapter 13, Article 1 of the West Virginia Code of 1931, as amended, and under the provisions of the Resolution. The principal amounts, interest rates, and interest and principal payment dates are as set forth in EXHIBIT A hereto.
- 4. This certificate is based upon facts, circumstances, estimates and expectations of the Issuer in existence on March 10, 2011, the date on which the Bonds are to be physically delivered in exchange for the issue price thereof (the "Date of Issue"), and to the best of our knowledge and belief, the expectations of the Issuer set forth herein are reasonable.

- The Issuer has covenanted in the Resolution that it will not permit at any time or times any of the proceeds of the Bonds or any funds of the Issuer to be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause any of the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code.
- The Bonds were sold and delivered on March 10, 2011, to Wells Fargo Bank, National Association (the "Purchaser") for a purchase price of \$37,006,007.45.
- The Bonds are being delivered simultaneously with the delivery of this certificate and are issued for the purposes of providing moneys necessary (i) to pay a portion of the costs of design, acquisition, construction and equipping of new public school facilities and renovations, improvements and additions to existing public school facilities in Hancock County School District (the "Project") and (ii) to pay costs of issuance of the Bonds and related costs.
- The face amount of the Bonds of \$37,000,000. The sources and uses of proceeds of the Bonds is as follows:

Sources

Par amount of Bonds Premium Underwriter's "mark-up"	\$37,000,000.00 \$6,007.45 \$321,530.00
Total Sources (Issue Price)	<u>\$37,327,537.45</u>
<u>Uses</u>	
Underwriter's Compensation	\$321,530.00

\$77,000.00

\$36,929,007.45

\$37,327,537.45 Total Uses

The Purchaser has stated, in its certificate, a copy of which is attached hereto as EXHIBIT C- PURCHASER'S CERTIFICATE (the "Purchaser's Certificate") that the Bonds have been reoffered, and a substantial amount thereof sold, to purchasers other than bond houses, brokers or other intermediaries, at the initial offering prices not greater than the respective prices shown on the cover page of the Official Statement for the Bonds.

THE PROJECT AND USE OF BOND PROCEEDS C.

Costs of Issuance (other)

Funds Available to Board for Project Costs

The proceeds of the Bonds are being used to finance the Project and pay 1. costs of issuance of the Bonds. The proceeds of the Bonds, and any premium thereon, (the "Net Sale Proceeds") will be deposited in a project construction fund (the "Construction Fund") and expended solely for payment of costs of the Project and Costs of Issuance of the Bonds. The

Issuer expects to expend the Net Sale Proceeds of the Bonds in accordance with the expenditure schedule attached as Exhibit D. The Issuer reasonably expects that:

- (a) it will incur, or has already incurred, a substantial binding obligation to a third party to expend at least 5% of the Net Sale Proceeds within 6 months following the Date of Issue;
- (b) completion of the Project and allocation of the Net Sale Proceeds to expenditures for Project costs will proceed with due diligence; and
- (c) it will expend (including reimbursements of prior expenditures) at least 85% of the Net Sale Proceeds and earnings thereon for Project costs within 3 years of the Date of Issue.

Based on the above expectations, the Net Sale Proceeds qualify for a three-year temporary period, beginning on the Date of Issue, during which time such Net Sale Proceeds are not subject to yield restriction. Net Sale Proceeds remaining unexpended at the end of such three-year period will be invested either (A) at a yield not in excess of the yield on the Bonds or (B) at an unrestricted yield, in which latter event in the Issuer shall pay yield reduction payments to the Internal Revenue Service pursuant to § 1.148-5(c) of the Regulations.

- 2. The Issuer is a governmental unit and has general taxing powers; no Bonds are private activity bonds; 95% or more of the net proceeds of the Bonds are to be used for local governmental activities of the Issuer (or of governmental unit the jurisdiction of which is entirely within the jurisdiction of the Issuer). No portion of the Bonds is issued to refund other obligations.
- 3. All property financed with proceeds of the Bonds will be held by or on behalf of a qualified governmental unit, and the Project will be operated solely for a public purpose as a governmental activity.
- 4. No portion of the payments of principal or interest will be made, financed or secured by, directly or indirectly, by payments or property used in any trade or business of any person other than the Issuer. The Issuer will not permit any portion of the payment of the principal or interest on the Bonds to be secured, directly or indirectly, by (i) interests in property or (ii) payments in respect of such property, which property is used or to be used in any trade or business of any person other than the Issuer. The Issuer will not permit any portion of the payment of the principal or interest on the Bonds to be derived, directly or indirectly by payments (whether or not to the Issuer) in respect of property or borrowed money, used or to be used in any trade or business of any persons other than the Issuer.
- 5. The Project is used only in activities directly related to the Issuer's exempt governmental purpose. No other person owns or uses the Project either directly or indirectly, including use through a management agreement, and neither the Issuer nor any other state or local government unit currently having ownership interest in the Project will transfer ownership of the Project while the Bonds are outstanding.

D. THE BONDS

- 1. The principal amounts, interest rates, and interest and principal payment dates, with respect to the Bonds are set forth in EXHIBIT A hereto.
- 2. A Debt Service Account for the Bonds is established by the Bond Commission. Moneys deposited to the Debt Service Account, including subsequent deposits thereto, will be spent within a 13-month period beginning on the date of deposit and will be depleted at least once a year, except for a reasonable carryover amount not in excess of 1/12 of the annual debt service with respect to the Bonds or as otherwise required by Law. The Bonds all bear interest at a fixed interest rate. The Debt Service Account Is designed to achieve a proper matching of the Issuer's revenues and debt service on the Bonds within each Bond Year. All moneys held in the Debt Service Account will be used to pay debt service on the Bonds. The Debt Service Account qualifies as a Bona Fide Debt Service Fund and all moneys in the Debt Service Account will be invested without restriction as to yield and are not subject to rebate.
- 3. A Surplus Collections Account for the Bonds is also established by the Bond Commission. Tax levy receipts and earnings thereon in excess of the amounts necessary to pay principal of and interest on the Bonds are transferred from the Debt Service Account and accumulated in the Surplus Collections Account. Moneys in the Surplus Collections Account are used to pay debt service on the Bonds in the event that tax levies for any particular period are insufficient therefor. All moneys in the Surplus Collections Account will be invested at a yield not to exceed the yield on the Bonds.
- 4. No Reserve Account or similar fund is established with respect to the Bonds.
- 5. Other than the Debt Service Account and the Surplus Collections Account, there are no other funds or accounts of the Issuer which (i) are reasonably expected to be used to pay Debt Service on the Bonds or which are pledged as collateral to secure payment of Debt Service on the Bonds and (ii) for which there is a reasonable assurance that amounts therein will be available to pay Debt Service on the Bonds.
- 6. For purposes of this Tax Certificate, yield is calculated as set forth in Section 148(h) of the Code and Sections 1.148-4 and 1.148-5 of the Regulations. Thus, yield generally means that discount rate which, when used in computing the present value of all unconditionally payable payments of principal and interest with respect to an obligation and the cost of qualified guarantees (if any) paid and to be paid with respect to such obligation, produces an amount equal to the issue price of the obligation.
- 7. The Issuer certifies, based upon representations of the Purchaser shown in EXHIBIT C hereto, that the aggregate reoffering price of the Bonds is \$37,327,537.45, which represents the price at which the Bonds were sold to the public (excluding bond houses, brokers and other intermediaries). For purposes hereof, yield shall be calculated on a 360-day year basis with interest compounded semiannually. The yield on the Bonds on an aggregate basis as computed by the Purchaser is 4.2506%.
- 8. Unless otherwise authorized by an Opinion of Bond Counsel, during any period in which any amounts held in the Bona Fide Debt Service Fund, that remain unexpended

after 13 months from the date of accumulation in such funds, at any time in aggregate exceeds \$100,000, the excess will be investigated either (i) in assets that comply with the requirements for qualified yield reduction payments set forth in Regulation § 1.148-5(c) or (ii) in Investment Property with a yield not exceeding the yield on the Bonds.

9. The Issuer has used equity to pay certain capitalized costs of the Project, prior to the Issue Date, and will use proceeds of the Bonds to reimburse those costs (i) expenditures which constitute "preliminary expenditures" within the meaning of Regulation Section 1.150-2(f)(2) or (ii) expenditures meeting the de minimis expenditure exception as set forth in Regulation Section 1,150-2(f)(1). No funds corresponding to the reimbursement will be used within one year after the allocation of proceeds of the Bonds to pay or provide for payment of any issue of tax-exempt obligations.

10. [Reserved.]

11. Pursuant to Regulation Section 1.148-6(d)(1)(i) the Issuer hereby elects to use the "gross proceeds spent first method" for purposes of allocating proceeds of the Bonds to expenditures.

E. REBATE

- 1. <u>Undertakings.</u> The Issuer has covenanted to comply with certain requirements of the Code. The Issuer acknowledges that the United States Department of the Treasury has issued Regulations with respect to these undertakings, including the proper method for computing whether any rebate amount is due the United States under Section 148(f) of the Code IL., Sections 1.148-0 through 1.148-11, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2 of the Regulations). The Issuer covenants that it will undertake to determine (or have determined on its behalf) what is required with respect to the rebate provisions contained in Section 148(f) of the Code from time to time and will undertake to comply with any requirements that may be applicable to the Bonds. The Issuer will undertake the methodology described in this Section E of this Tax Certificate, except to the extent inconsistent with any requirements of present or future law, regulations or future guidance issued by the United States Department of the Treasury or if the Issuer receives an opinion of Bond Counsel,
- 2. <u>Rebate Fund.</u> The Issuer hereby creates a special fund designated the "Rebate Fund" to be held by a commercial bank separate and apart from all other funds and accounts of the Issuer.
- 3. <u>Recordkeeping.</u> Detailed records with respect to each and every Nonpurpose Investment attributable to Gross Proceeds (within the meaning of Section 1,148-1(b) of the Regulations) of the Bonds must be maintained by the Issuer, including (i) purchase date, (ii) purchase price, (iii) any accrued interest paid, (iv) face amount, (v) coupon rate, (vi) date of interest payments, (vii) disposition price, (viii) any accrued interest received, (ix) disposition date, and (x) broker's fees. Such detailed record keeping is required for the calculation of the rebate amount (within the meaning of Section 1.148-3 of the Regulations) which, in part, will require a determination of the difference between the actual aggregate earnings of all

Nonpurpose Investments and the amount of such earnings assuming a rate of return equal to the yield on the Bonds.

4. Rebate Amount Calculation and Payment.

- (a) The Issuer represents, warrants and covenants that it will prepare or cause to be prepared a calculation of the rebate amount with respect to the Bonds consistent with the rules described in this Section 4. The Issuer will prepare or cause to be prepared a calculation of the rebate amount (i) within fifty-five (55) days after the close of the fifth Bond Year and each fifth Bond Year thereafter so long as any Bonds remain unpaid, and (ii) within fifty-five (55) days after the first date on which there are no unpaid Bonds. Not later than fifty-five (55) days after the end of the fifth Bond Year and each fifth Bond Year thereafter so long as any Bond remains unpaid, and within fifty-five (55) days after the last Bond is paid, the Issuer shall deposit in the Rebate Fund an amount so that the balance held by the Issuer in the Rebate Fund shall be equal to the rebate amount.
- (b) For purposes of calculating the rebate amount (i) the aggregate amount earned with respect to a Nonpurpose Investment shall be determined by assuming that the Nonpurpose Investment was acquired for an amount equal to its value at the time it becomes a Nonpurpose Investment, and (ii) the aggregate amount earned with respect to any Nonpurpose Investment shall include any unrealized gain or loss with respect to the Nonpurpose Investment on the first date when there are no unpaid Bonds or when the investment ceases to be a Nonpurpose Investment.
- (c) The Issuer shall pay to the United States Department of the Treasury out of designated funds (i) not later than sixty (60) days after the end of each fifth Bond Year, a payment equal to at least ninety percent (90%) of the rebate amount with respect to the Bonds, calculated as of the end of such fifth Bond Year, and (ii) not later than sixty (60) days after the first date when there are no unpaid Bonds, an amount equal to one hundred percent (100%) of the rebate amount (determined as of the first date when there are no unpaid Bonds) plus any actual or imputed earnings on such rebate amount, all as set forth in Sections 1.148-1 through 1.148-11 of the Regulations and as determined by or on behalf of the Issuer.
- (d) Each payment required to be made pursuant hereto and relating to the Bonds shall be filed with the Internal Revenue Service Center, Philadelphia, Pennsylvania 19255, on or before the date such payment is due and shall be accompanied by Internal Revenue Service Form 8038-T. The Issuer must retain records of the calculations required by this Section 4.4 until six (6) years after the retirement of the last obligation of the Bonds.

5. Valuation of Investments.

(a) <u>General Rule.</u> Except as otherwise provided in this Section 5, for all purposes of Section 148 of the Code, the value of an investment allocated to the Bonds (including a payment or receipt on the investment) on a date must be determined using one of the following valuation methods;

- (i) Outstanding Principal Amount Method. A plain par Investment (as defined in Section 1,148-1(b) of the Regulations) may be valued at its outstanding stated principal amount, plus any accrued unpaid interest on that date.
- (ii) Present Value Method. An investment whose yield is fixed and determinable on the issue date (a "fixed rate investment") may be valued at its present value on that date. Present value of an investment is computed under the economic accrual method, using the same compounding interval and financial conventions used to compute the yield on the Bonds (i.e., 360-day year basis with interest compounded semiannually). The present value of an investment on a date is equal to the present value of all unconditionally payable receipts to be received from and payments to be paid for the investment after that date, using the yield on the investment as the discount rate.
- (iii) Fair Market Value Method. An investment may be valued at its fair market value on that date. The fair market value of an investment is the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's-length transaction. Fair market value generally is determined on the date on which a contract to purchase or sell the nonpurpose investment becomes binding (i.e., the trade date rather than the settlement date). Except as otherwise provided in Subsections 4.5(e), (f) and (g) hereof, an investment that is not of a type traded on an established securities market, within the meaning of Section 1273 of the Code, is rebuttably presumed to be acquired or disposed of for a price that is not equal to its fair market value.
- (b) <u>Mandatory Valuation of Certain Investments at Fair Market Value.</u> Except as provided in Subsections 4.5(c) and (d), an investment must be valued at fair market value on the date that it is first allocated to the Bonds or first ceases to be allocated to the Bonds as a consequence of a deemed acquisition or deemed disposition.
- (c) <u>Mandatory Valuation of Yield Restricted Investments at Present Value.</u>
 Any yield restricted investment must be valued at present value.
- (d) <u>Transferred Proceeds allocations</u>, <u>Universal Cap Allocations and Commingled Funds</u>. Notwithstanding Subsection 4.5(b) hereof, an investment need not be valued at fair market value if it is allocated to the Bonds or ceases to be allocated to the Bonds as a result of the transferred proceeds allocation rule under Section 1,148-9(b) of the Regulations or the universal cap rule under Section 1.148-6(b)(2) of the Regulations. In addition, investments in a commingled fund (other than a bona fide debt service fund) need not be valued at fair market value unless it is a commingled fund described in Section 1.148-6(e)(5)(iii) of the Regulations.
- (e) <u>Certificates of Deposit.</u> The purchase price of a certificate of deposit that has a fixed interest rate, a fixed payment schedule and a substantial penalty for early withdrawal will be treated as its fair market value on the purchase date if:
 - (i) the yield on the certificate of deposit is not less than the yield on reasonably comparable direct obligations of the United States; and

- (ii) the yield on the certificate of deposit is not less than the highest yield that is published or posted by the provider to be currently available from the provider on reasonably comparable certificates of deposit offered to the public.
- (f) <u>Guaranteed Investment Contracts.</u> The purchase price of a guaranteed investment contract will be treated as its fair market value on the purchase date if:
 - (i) the Issuer has made (or had made on its behalf) a bona fide solicitation for a specified guaranteed investment contract and received at least three (3) bona fide bids from providers that have no material financial interest in the Bonds;
 - (ii) the Issuer purchased (or had purchased on its behalf) the highest yielding guaranteed contract for which a qualifying bid is made (determined net of broker's
 - (iii) the yield on the guaranteed investment contract (determined net of broker's fees) is not less than the yield then available from the provider on reasonably comparable guaranteed investment contract, if any, offered to other persons from a source of funds other than gross proceeds of tax-exempt bonds. For purposes of computing the yield on a guaranteed investment contract acquired through a broker, any compensation received by such broker whether payable by or on behalf of the obligor or obligee of such investment contract may be taken into account in determining the cost of such guaranteed investment contract (as provided in Section 1.148-5(e)(2)(iii) of the Regulations) to the extent that the amount of compensation does not exceed the lesser of \$30,000.00 or 0.2% of the computational base (as defined in Section 1.148-5(e)(2)(iii)(B)(2) of the Regulations), provided that in no event shall the Issuer treat as qualified administrative costs more than \$85,000.00 in broker's commissions or similar fees with respect to all guaranteed investment contracts and investments for yield restricted defeasance escrows purchased with the gross proceeds of the issue.
 - (iv) the determination of the terms of the guaranteed investment contract took into account as a significant factor the Issuer's reasonably expected drawdown schedule for the amounts to be invested, exclusive of amounts deposited in debt service funds and reasonably required reserve or replacement funds;
 - (v) the terms of the guaranteed investment contract, including collateral security requirements, are reasonable; and
 - (vi) the provider of the guaranteed investment contract certified the administrative costs that it paid (or expects to pay) to third parties in connection with the guaranteed investment contract.
- (g) <u>United States Treasury Obligations.</u> The fair market value of a United States Treasury obligation that is purchased directly from the United States Treasury is its purchase price.

- 6. <u>Segregation of Proceed.</u> In order to perform the calculations required by the Code, it is necessary to track separately all of the Gross Proceeds. To that end, the Issuer hereby agrees to establish separate funds, accounts or subaccounts or take other accounting measures in order to account fully for all Gross Proceeds.
- 7. <u>Filing Requirements.</u> The Issuer shall file or cause to be filed such reports or other documents with the Internal Revenue Service as may be required by the Code from time to time (e.g., Form 8038-G and Form 8038-T).
- 8. <u>Failure to Pay Rebate Amounts.</u> In the event the Issuer fails to pay at the proper time and in the proper amounts, any Rebate Amount, it will pay the rebate amount plus interest within 180 days after discovery of such failure as set forth in Section 1.148-3(h)(3) of the Regulations. Notwithstanding the foregoing, in the event the Issuer fails to pay at the proper time and in the proper amount any Rebate Payment or correction amount, it hereby covenants and agrees to pay any penalty required by Internal Revenue Service in lieu of a declaration of taxability on the Bonds.

F. MISCELLANEOUS

- 1. The amount designated as "Cost of Issuance" of the Bonds consists only of costs which are directly related to and necessary for the issuance of the Bonds.
- 2. The Issuer shall file Form 8038-G in a timely fashion with the Internal Revenue Service Center, Ogden, Utah. The information set forth in EXHIBIT B IRS FORM 8038-G, attached hereto, is true and correct, and may be relied upon by Bond Counsel in its preparation of IRS Form 8038-G.
- 3. None of the proceeds of the Bonds will be used (directly or indirectly) in any trade or business carried on by, or will be used to make or finance loans to, any person who is not a governmental unit.
- 4. The original proceeds of the Bonds will not exceed the amount necessary for the purpose of the issue, except to the extent any such proceeds are required for rebate to the United States.
- 5. The Issuer shall not permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly in a manner which would result in the exclusion of the Bonds from treatment afforded by Section 103(a) of the Code by reason of classification of the Bonds as "private activity bonds" within the meaning of the Code. The Issuer will take all actions necessary to comply with the Code and the Regulations promulgated or to be promulgated thereunder.
- 6. The Bonds are not, and will not be, in whole or part, directly or indirectly, federally guaranteed within the meaning of Section 149(b) of the Code.
- 7. The Issuer has not entered and will not enter into any transaction to reduce the Yield on an investment of the Gross Proceeds of the Bonds so as to cause the amount to be rebated to the United States Treasury to be less than it would have been had the transaction been

at arm's length and the Yield on the Bonds not been relevant to either party to the transaction, and that all investments of Gross Proceeds will be made on an arm's length, Fair Market Value basis.

- 8. No portion of the proceeds of the Bonds will be used directly or indirectly to replace funds of the Issuer or other related governmental agency that have been used directly or indirectly to acquire securities or obligations which may reasonably be expected, on the date hereof, to produce a yield materially higher than the Yield on the Bonds.
- 9. In connection with the Bonds, there has not been created or established, and the Issuer does not expect that there will be created or established, any sinking fund, pledged fund or similar fund (other than as specifically identified in this Tax and Arbitrage Certificate), including without limitation any arrangement under which money, securities, or obligations are pledged directly or indirectly to secure the Bonds or any contract securing the Bonds or any arrangement providing for compensating or minimum balances to be maintained by the Issuer or related governmental agencies with any registered owner of the Bonds.
- 10. The Bonds are not and will not be part of a transaction or series of transactions that (i) attempt to circumvent the provisions of Section 148 of the Code, or any successor thereto, and the Regulations promulgated thereunder which enable the Issuer to exploit the difference between tax-exempt and taxable interest rates to gain a material financial advantage or (ii) increase the burden on the market for tax-exempt obligations in any manner, including, without limitation, by selling obligations that would not otherwise be sold or selling a larger amount of obligations, or issuing them sooner, or allowing them to remain outstanding longer, than would otherwise be necessary,
- 11. No other obligations are being issued by the Issuer or any related entity at substantially the same time and sold pursuant to a common plan of financing and which will be paid out of substantially the same source of funds (or which will have substantially the same claim to be paid out of substantially the same source of funds) as the Bonds or which will be paid directly or indirectly from proceeds of the sale of the Bonds.
- 12. The issuance of the Bonds will not involve the use of a "device" or an "abusive transaction" within the meaning of Section 149(d)(4) of the Code and the *Regulations* thereunder.
- 13. The Issuer covenants to comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Bonds in order that the interest thereon be and continue to be excludable from gross income for federal income tax purposes.
- 14. The Issuer shall comply with all yield restrictions on Bond proceeds as set forth in the Code.
- 15. The Bonds are a fixed yield issue. No interest or other amount payable on any of the Bonds (other than in the event of an unanticipated contingency) is determined by reference to (or by reference to an index that reflects) market interest rates or stock or commodity prices after the date of issue.

- 16. Under section 1.148-2(b) of the Regulations, an officer of the Issuer must certify the Issuer's expectations as of the issue date. In accordance therewith, the undersigned President of the Issuer hereby in good faith certifies that the representations and covenants set forth in this Tax and Arbitrage Certificate constitute the reasonable expectations of the Issuer as of the Issue Date. Accordingly, the representations and covenants set forth herein are intended and may be relied upon as the certification described in section 1.148-2(b) of the Regulations and are being delivered as part of the record of proceedings in connection with the issuance of the Bonds.
- 17. To the best of our knowledge, information and belief there are no other facts, estimates and circumstances which would materially change the expectations herein expressed.
- 18. Bowles Rice McDavid Graff & Love LLP is entitled to rely upon the representations, expectations, covenants, certifications and statements contained herein in rendering its opinions regarding the tax-exempt status of interest on the Bonds.
- 19. Notwithstanding any other provision hereof, any provision of this Tax and Arbitrage Certificate shall be amended at any time and such amendment shall be complied with, upon receipt by the Issuer of an opinion of Bond Counsel that such amendment is necessary or permissible under the then current Code and Regulations and is either necessary to or will not adversely affect the excludability of interest on the Bonds from gross income of the recipients thereof for federal income tax purposes.
- 20. To the best of our knowledge, information and belief, the foregoing expectations are reasonable.
- 21. If any provision of this Tax Certificate (including all accompanying certificates) shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining portions hereof shall not in any way be affected or impaired thereby.
- 22. Notwithstanding anything in this Tax Certificate or any other provisions of the Resolution to the contrary, the obligation to remit the rebate amount to the United States Department of the Treasury and to comply with all other requirements contained in this Tax Certificate shall survive the defeasance or payment in full of the Bonds.
- 23. The yield restrictions contained herein or any other restriction or covenant contained herein need not be observed or may be changed if the Issuer receives an opinion of Bond Counsel to the effect that such noncompliance or change will not adversely affect the exclusion of interest on the Bonds for federal income tax purposes.
- 24. The terms, provisions, covenants and conditions of this Tax Certificate shall bind and inure to the benefit of the successors and assigns of the Issuer.
- 25. The headings of this Tax Certificate are inserted for convenience only and shall not be deemed to constitute a part of this Tax Certificate.

IN WITNESS WHEREOF, we have set our hands this 10th day of March, 2011.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

By: **/Te**

Its: President

By:

EXHIBIT A

MATURITY SCHEDULE

	<u>Year</u>	Principal <u>Amount</u>	Interest <u>Rate</u>	Issue <u>Price</u>
	2012	595,000.00	3.000%	611,219.70
	2013	865,000.00	3.000%	902,497.75
	2014	900,000.00	3.000%	946,935.00
	2015	945,000.00	3.000%	991,975.95
	2016	985,000.00	3.000%	1,030,428.20
	2017	1,030,000.00	3.000%	1,068,058.50
	2018	1,080,000.00	3.000%	1,107,951.20
	2019	1,130,000.00	5.000%	1,305,376.00
	2020	1,180,000.00	3.000%	1,170,630.80
	2021	1,235,000.00	3.250%	1,224,416.05
	2022	1,290,000.00	5.000%	1,442,245.80
	2023	1,350,000.00	5.000%	1,485,216.00
	2024	1,415,000.00	5.000%	1,538,090.85
	2025	1,480,000.00	4.000%	1,464,164.00
	2026	1,545,000.00	4.000%	1,510,561.95
	2027	1,620,000.00	4.000%	1,563,769.80
	2028	1,695,000.00	4.250%	1,664,523.90
	2029	1,770,000.00	4.250%	1,726,157.10
	2030	1,850,000.00	4.375%	1,820,437.00
2032 Term Bond:	2031	1,935,000.00	4.500%	1,908,916.20
	2032*	2,025,000.00	4.500%	1,997,703.00
2034 Term Bond:	2033	2,120,000.00	4.500%	2,045,948.40
	2034*	2,215,000.00	4.500%	2,137,630.05
2036 Term Bond:	2035	2,320,000.00	4.750%	2,279,748.00
	2036*	2,425,000.00	4.750%	2,382,926.25
		37,000,000.00		37,327,537.45

^{*} Denotes Final maturity.

FORM 8038 STATISTICS

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

Dated Date Delivery Date 03/10/2011 03/10/2011

Bond Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
Serial Bonds:						
	05/01/2012	595,000.00	3.000%	102.726	611,219.70	595,000.00
	05/01/2013	865,000.00	3.000%	104.335	902,497.75	865,000.00
	05/01/2014	900,000.00	3.000%	105.215	946,935.00	900,000.00
	05/01/2015	945,000.00	3.000%	104.971	991,975.95	945,000.00
	05/01/2016	985,000.00	3.000%	104.612	1,030,428.20	985,000.00
	05/01/2017	1,030,000.00	3.000%	103.695	1,068,058.50	1,030,000.00
	05/01/2018	1,080,000.00	3.000%	102.589	1,107,961.20	1,080,000.00
	05/01/2019	1,130,000.00	5.000%	115.520	1,305,376.00	1,130,000.00
	05/01/2020	1,180,000.00	3.000%	99.206	1,170,630.80	1,180,000.00
	05/01/2021	1,235,000.00	3.250%	99.143	1,224,416.05	1,235,000.00
	05/01/2022	1,290,000.00	5.000%	111.802	1,442,245.80	1,290,000.00
	05/01/2023	1,350,000.00	5.000%	110.016	1,485,216.00	1,350,000.00
	05/01/2024	1,415,000.00	5.000%	108.699	1,538,090.85	1,415,000.00
	05/01/2025	1,480,000.00	4.000%	98.930	1,464,164.00	1,480,000.00
	05/01/2026	1,545,000.00	4.000%	97.771	1,510,561.95	1,545,000.00
	05/01/2027	1,620,000.00	4.000%	96.529	1,563,769.80	1,620,000.00
	05/01/2028	1,695,000.00	4.250%	98.202	1,664,523.90	1,695,000.00
	05/01/2029	1,770,000.00	4.250%	97.523	1,726,157.10	1,770,000.00
	05/01/2030	1,850,000.00	4.375%	98.402	1,820,437.00	1,850,000.00
2032 Term Bond:						
	05/01/2031	1,935,000.00	4.500%	98.652	1,908,916.20	1,935,000.00
	05/01/2032	2,025,000.00	4.500%	98.652	1,997,703.00	2,025,000.00
2034 Term Bond:						
	05/01/2033	2,120,000.00	4.500%	96.507	2,045,948.40	2,120,000.00
	05/01/2034	2,215,000.00	4.500%	96.507	2,137,630.05	2,215,000.00
2036 Term Bond:						
	05/01/2035	2,320,000.00	4.750%	98.265	2,279,748.00	2,320,000.00
	05/01/2036	2,425,000.00	4.750%	98.265	2,382,926.25	2,425,000.00
		37,000,000.00			37,327,537.45	37,000,000.00
•				Stated		
	Maturity	Interest	Issue	Redemption	_	
	Date	Rate	Price	at Maturity	Maturity	Yield
Final Maturity	05/01/2036		382,926.25	2,425,000.00		
Fig. 42 and Tales and		27	227 527 45	27 000 000 00	1 2 2 2 2 2 2	4 35060/

37,327,537.45

37,000,000.00

15.3094

4.2506%

Entire Issue

FORM 8038 STATISTICS

\$37,000,000
The Board of Education of the
County of Hancock (West Virginia)
Public School Bonds, Series 2011

Proceeds used for accrued interest	0.00
Proceeds used for bond issuance costs (including underwriters' discount)	398,530.00
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	0.00

EXHIBIT B

IRS FORM 8038-G

[Included in Transcript as Document Number D-5 at Tab No. 26]

EXHIBIT C – PURCHASER'S CERTIFICATE

[Included in Transcript as Document Number B-7 at Tab No. 16]

EXHIBIT D

ESTIMATED EXPENDITURE SCHEDULE

[Included in Transcript as Document Number B-3 at Tab No. 12]

\$37,000,000 THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA) PUBLIC SCHOOL BONDS, SERIES 2011

CERTIFICATE OF ISSUER

The undersigned, Gerald Durante, President of The Board of Education of the County of Hancock, West Virginia (the "Issuer"), hereby certifies as follows relative to the use of the proceeds of the Issuer's \$37,000,000 Public School Bonds, Series 2011, dated March 10, 2011 (the "Bonds"):

- 1. The proceeds of the Bonds are being used to finance the acquisition of sites and the acquisition, construction, and equipping of two new schools and the renovation, expansion and improvement of certain existing schools (collectively, the "Project"), to pay a portion of the interest due on the Bonds during the period of acquisition and construction of the Project and to pay costs of issuance of the Bonds. The proceeds of the Bonds in the amount of \$36,929,007.45 (the "Net Sale Proceeds") will be deposited in a project construction fund (the "Construction Fund") and, together with earnings thereon, expended solely for payment of costs of the Project, and payment of costs of issuance of the Bonds.
- 2. The Issuer will incur a substantial binding obligation to a third party to expend at least 5% of the Net Sale Proceeds within 6 months of the Issue Date.
- 3. The acquisition and construction of the Project and allocation of the Net Sale Proceeds of the Bonds to expenditures for Project costs will proceed with due diligence until completion of the Project.
- 4. The Issuer reasonably expects to expend at least 85% of the Net Sale Proceeds and earnings thereon for costs of the Project within 3 years of the Issue Date as shown on the Estimated Construction Draw Schedule attached hereto as **EXHIBIT A ESTIMATED CONSTRUCTION DRAW SCHEDULE**, and incorporated by reference herein.

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WITNESS my signature this 10th day of March, 2011

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

Gerald Durante

Its: President

Planed Pl

19,000,000.00 SBA 55,999,817.00 Total 3.175.150.00

13,723,436,00 3,417,932.00 11,458,544.00 4,188,255.00

Board of Canvassers' Certificate of Votes Cast for Candidates at General Election

November 10, 2010

Office of the County Commission of Hancock County, West Virginia.

To: Natalie E. Tennant, WV Secretary of State

The Board of Canvassers of the County of Hancock, State of West Virginia, having carefully and impartially examined the returns of the General Election held in said county on the 2th day of November, 2010, do hereby certify that in said County and District thereof at said election, on the official ballot for the office of:

STATE SENATE 1 st SENATORIAL DISTRICT:	
Charles Schlegel (Rep) received Four thousand one hundred seventy	(4,170)
Orphy Klempa (Dem) received Five thousand one hundred forty	(5,140)
HOUSE OF DELEGATES 1 ST DELEGATE DISTRICT:	
Ronnie D. Jones(Dem) received Four thousand one hundred eighty six	(4,186)
Randy Swartzmiller (Dem) received Six thousand five hundred twenty one	(6,521)
Amanda M. Mesler (Ind) received Four thousand two hundred twenty	(4,220)
CIRCUIT CLERK:	
Mike Chek (Rep) received Four thousand four hundred eighty seven	(4,487)
Brenda L. Jackson (Dem) received Five thousand five hundred five	(5,505)
	,
COUNTY COMMISSIONER:	
Mike Swartzmiller (Dem) received Seven thousand six hundred eighty eight	(7,688)
COUNTY CLERK:	
Eleanor Straight (Dem) received Eight thousand one hundred ninety five	(8,195)
SCHOOL BOND ELECTION:	
Yes (For the Bond Issue) received Five thousand two hundred fourteen	(5,214)
No (Against the Bond Issue) received Five thousand ten	(5,010)
LIBRARY LEVY:	
	(6 122)
· · · · · · · · · · · · · · · · · · ·	(6,122)
Against the Levy received Three thousand nine hundred fourteen	(3,914)

Given under our hands this 10th day of November, 2010.

Jeff Dayls Board of Canvass

Dan Greathouse, Board of Canvass

Eleanor Straight, County Cle

New 12

POLLWORKERS- GENERAL ELECTION- NOVEMBER 2, 2010

5 (SC (RC	4 (SC) (RC)	3 (SC (RC	2 (SC) (RC)	Pct # 1 (SC) (RC)
Lawrenceville Fire Dept (SC) Diana Glover D Tamra Dawson D (RC) Thurman Trowbridge R Patty King D Rebecca Foster R	Wells Center (SC) Dana Picciarelli Patricia Murray (RC) Cheryl Hissam Walda Cline Peggy Adkins	Lions Club Newell (SC) Sue Thompson Joyce Pope (RC) Edward DeBee Jodi Simcox Cheryl Walker	Chester Vol. Fire Dept. (SC) Sue Fisher Stacie Willis (RC) Janet Keller Mary Lou Krzeczowsk George Gamerdinger	Pollworker Allen T Allison Eleme Anthony Lascola Brenda Hupp Linda Marsh Anita Herron Janice Gamerdinger
	ססגסג	ססגסג	ססגסג	Party n tary R D R
#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	Party Position Intary School R #1Comm. D #2Comm. R #3Comm. R #1Clerk R #2 Clerk
111 Indiana Ave., Chester 214 5th St, Chester 330-385-940 1014 Collin Memorial Dr, Chester PO Box 322 Chester 311 Lawnview Dr New Cumberland	PO Box 433, Chester 913 Grant St, Newell 544 River St Chester 311 Boyce Dr, Chester 211 Jefferson St, Newell	917 Grant St., Newell 904-39 1008 Washington St, Newell 126 Fox Ln Apt 313, Chester 19 Washington St Newell PO Box 203, Newell	216 Church Alley Apt 1, Chester 523 Indiana Ave, Chester 316 3rd St., Chester 173 Smith Rd., New Cumberland 513 Florida Ave, Chester	Address 317 Carolina Ave, Chester PO Box 461, Newell 18 Amberway Ct, New Cumberland 550 River St, Chester 513 Florida Ave, Chester
387-0616 <u>wvladydi@comcast.net</u> 740-275-8609c/387-4200 <u>tkayd33@aol.com</u> 280-3587 <u>thurman.trowbridge@yahoo.com</u> 374-3224c/387-2407 <u>pking184@comcast.net</u> 374-4123c/564-4251 <u>fosterj311@comcast.net</u>	387-3570/374-2118 tpicciarelli@comcast.net 670-3144c/387-9699 pattymurray@yahoo.com 670-0787c/387-1940 hissam6013@comcast.net 670-5464C/387-1532 lccline@comcast.net 387-2124/374-1555	304-387-1010W387-4360 <u>librarywoman@msn.com</u> 670-4890c/387-3314 387-0299 374-1878c/459-3256 jody.simcox@yahoo.com 387-2635 <u>walkerracing@hughes.net</u>	374-9999C <u>susieeck1117@yahoo.com</u> 724-480-7414/387-9699 <u>staciemurray@hotmail.com</u> 650-3264c/387-0354 <u>keller7sons@hotmail.com</u> 479-0568c/387-5077	Phone E- Mail 724-513-8248/387-3338 tlascola317@comcast.net

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	(SC)	(SC) (RC)	(SC) nady) (RC)	(SC)
New Cumberland City Building (SC) Barb Ross D #1 C Sarah Beatty D #2 C (RC) Iris Stewart R #3 C Jim Beatty D #1 C Willy T. Ross R #2 C	New Manchester Fire Dept (SC) Kitty Binkowski R 1 (RC) Debra Lamp D 1 Laura Phillips R 1 Jill Swan D 1 Sandy Phillips R 1	New Manchester Elementary School (SC) Dona Gaston D #1 Comm Patty Cox D #2 Comm (RC) Diana Rauth R #3 Comm Heather Hepler D #1 Clerk Linda Foster R #2 Clerk	7 Holiday Inn Express, Newell (SC) Sandra Spencer D # (shady) Elaine Richards D # (RC) Yvonne Sue Isner R # Dorothy Baier D # Jonell Meador R #	Hancock County Senior Center Bonnie Burskey D #1 C Alice Haught D #2 C Laura Beebe R #3 C Linda Clark D #1 C Barb Carlson R #2 C
70700 B	20202	nent R D R	Z O Z O O Z O Z	nonoo o
#1 Comm #2 Comm #3 Comm #1 Clerk #1 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	ary School #1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk
711 Second Ave NC PO Box 258/103 Marshall St, NC 130 Patterson Rd, Weirton 1001 third ave NC 711 Second Ave NC	306 Lawnview Dr, NC 2280 Orchard Rd, Chester 153 Lawnview Dr, New Cumberlan PO Box 46, New Manchester 670- 153 Lawnview Dr, New Cumberlanc	134 Pine Lane, New Cumberland 370 Culler Rd., Weirton 3275 Wylie Ridge Rd, Weirton 10 Square Lane New Cumber 128 Hideaway Acres Rd, NC	1018 Washington St., Newell 309 Filmore St., New Cumberland 109 Lawnview Dr New Cumberland PO Box 238,New Manchester 110 Montgomery Ave, Weirton	1112 Second Ave., New Cumberlan 7621 Veterans Blvd, Chester 24 Hawthorn Ln, Chester 4270 Veterans Blvd, New Cumberla 170 Arroyo Village Rd New Cumber
479-3849c/564-5433 <u>rossfamil@comcast.net</u> 479-0856c/564-3862 <u>sndbeatty/@comcast.net</u> 723-1221 304-564-5200 224-5254c/564-5433 <u>wllyrss@yahoo.com</u>	564-5934 wvrelady@yahoo.com 387-2112 670-7822c/564-4197 laurakphillips@comcast.net 564-3272/564-5106w 564-4197	564-3160/670-8634c <u>donagaston@yahoo.com</u> 479-5175c/723-5175 748-1968 <u>dianarauth@yahoo.com</u> 304-224-9939c/564-7176 564-3623	387-0389 <u>dean-sandy@comcast.net</u> 670-7444c/564-4403 <u>ejrichar@comcast.net</u> 564-4303 <u>suzieQstuff@yahoo.com</u> 670-2478c/564-3622 723-0476	564-4010/479-5644 387-1459 387-0789 387-1242 670-0092c/387-1107

(SC) Louanne Huff (RC) Elizabeth Phillips Melissa Macek-Nichol Olivia Curenton-Carte Jennifer Vidmar	14 Weirton Co #1 Fire Dept-County Rd (SC) Diana Crago D #1 Comm Sherine Veal D #2 Comm (RC) Alma Oberg R #3 Comm Charles Long D #1 Clerk Pride Dewayne Grimn R #2 Clerk	13 Get Together Picnic Grounds (SC) Shannon Rhoades D #1 Marge Trinone D #2 (RC) Jeffrey Fiedorczk R #3 Dolores LaRosa D #1 Jennifer Fiedorczyk R #2	(SC) Mary Rose Cuppy Vicki Kester (RC) Mary Rice Cameron Cline Robert Landis	11 Point Pleasant Church (SC) Rhonda Long Martha Everly (RC) Yvonne Fisher Robert Krupp Ella Herron
R #1 Comm D #2 Comm R #3 Comm D #1 Clerk R #2 Clerk	D #1 Comm D #2 Comm D #3 Comm R #3 Comm D #1 Clerk R #2 Clerk	rounds D #1 Comm D #2 Comm R #3 Comm R #1 Clerk R #2 Clerk	D #1 Comm D #2 Comm R #3 Comm R #1 Clerk R #2 Clerk	D #1 Comm D #2 Comm R #3 Comm R #1 Clerk R #2 Clerk
1 26 Memory Ln New Cumberland	1479 Wylie Ridge Rd, NC	1 52 Point View St, Weirton	 119 Fossil Dr., New Cumberland 563 Louisiana Ave, Chester 957 Rainey Hill Rd New Cumberlan 429 Thurman Ave Weirton 412 Dunn Street Chester 	1773 Wylie Ridge Rd. New Cumberla
1 411 Dunn Street Chester	2957 Elm St Weirton	1 125 Franklin St, Weirton		1510 Madeline Ln New Cumber
1 34 Autumn Drive New Cumberland	212 Loraine Dr, Weirton	1 262 Old Colliers Way, Weirton		1524 Louisana Ave, Chester
400 Steel Blvd., Weirton	773 Wylie Ridge Rd. New Cumberk	105 Veltri Street,Weirton		143 Harmon Ave, Weirton
PO Box 742, New Cumberland	PO Box 2972 Weirton	262 Old Colliers Way, Weirton		3139 Hardins Run Rd New Cumber
304-224-9935c/387-1328	797-1078/374-5845c	224-6565c/748-4433 <u>srhoades 26062@yahoo.com</u>	564-5651/794-6068c	670-8469c/797-0024 <u>rhondalong4@comcast.net</u>
304-919-6294c <u>ehessphillips@gmail.com</u>	374-2532c/304-374-2532 <u>sveal@comcast.net</u>	794-8857c/748-4177	374-0772c/387-0479	564-5885
670-3662c/387-2082	723-2289	670-6363c/723-6028 <u>jifiedorczyk@hotmail.com</u>	748-0785	479-1870c/387-4226
797-1777	914-6154c//797-0024 <u>rhondalong4@comcast.net</u>	723-3285	914-8539c/748-6021 <u>cline429@comcast.net</u>	723-3073
304-479-0349	224-1027h/252-200-1622 <u>grimmpride@comcast.net</u>	670-6363c/723-6028 <u>jifiedorczyk@hotmail.com</u>	975-0894/975-0369 <u>eagleswings@rocketmail.com</u>	564-5112

20 Weir Middle School (SC) Kenneth Coffman (RC) Michael Burr Trudy Bender Rita Orler Karrie Bender	19 Hancock County Sheltered Workshop (SC) Carolyn Rutter D #1 comm Ohyen Wilson D #2 Comm (RC) Shirley Madden R #3 Comm Kyle Wilson D #1 Clerk Pam Smith R #2 Clerk	18 Marland Hts. Community Church (SC) Pam Lilly R #1 Con (RC) Grace Kourpas D #2 Con Patricia Taliani R #3 Con Vera Krupp D #1 Cler Donna Hackett R #2 Cler	17 Lions Club-Marland Heights (SC) Melissa Evans R #1 (RC) Joe Szuch D #2 Linda Hohenshil R #3 Lola Little D #1 Jayell Nesbitt R #2	16 Weirton Senior Center-Main St (SC) Vivian Starr D #1 C Dorothy Skrab D #2 C (RC) Judy Deemer R #3 C Jim Gibson D #1 C Bettye Mullins R #2 C
R #1 Comm NP/D #2 Comm R #3 Comm D #1 Clerk R #2 Clerk	tered Works D #1 comn D #2 Comr R #3 Comr D #1 Clerk R #2 Clerk	nity Church R #1 Com D #2 Com R #3 Com R #1 Clerk R #2 Clerk	eights R #10 R #30 R #30 R #30 R #30	r-Main S D #1 0 D #2 0 R #3 0 R #1 0 R #2 0
	#1 comm #2 Comm #3 Comm #1 Clerk #2 Clerk	* * 3 3 3	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	omm omm omm lerk lerk
3503 West St Apt 3,Weirton PO Box 2722/102 Oakland Ave, We PO Box 246 New Cumberland 101 lexington Ct, Weirton PO Box 246, New Cumberland	3057 Elm St., Weirton 556 Locust St, Weirton 170 Wanda St, Weirton 3109 West St, Weirton 38 Abbie Ln, New Cumberland	3616 Bright Way, Weirton 301 Wayne Ave Weirton 3941 Claremont Place, Weirton 143 Harmon Ave Weirton 3646 Morgan Dr, Weirton	3529 Buchanan Way Weirton 3027 Orchard St Weirton 3941 Claremont Place, Weirton 63 Little Circle New Cumberland 1525 Lyons Rd, Weirton	183 Arroyo Village Rd.,NC 101 Sellitti Ln, Weirton 728 Tope Rd New Cumberland 164 Gibson Rd New Cumberland 3433 Orchard St, Weirton
112-587-2444c/304-919-0318 k-coffman@live.com 304-224-1792 burrmichael@msn.com 564-7112 bendertrudy@yahoo.com 748-7735 rorler@comcast.net 564-7112 darkjunkie8342@yahoo.com	304-914-8844 670-3860c/748-3371 <u>ohyen67@yahoo.com</u> 224-4238c/723-5807 304-224-1594 304-374-2472	479-3258c/797-8717 304-723-6047/914-5196c 374-3407c/748-0836 794-6662c/723-3073 304-914-3225	cell # on letter 797-1512 748-6143 919-1382c/748-0836 lindahohenshil@yahoo.com 794-9289c/564-3824 lola46@comcast.net 304-670-8079 jinez731@yahoo.com	387-9629 797-1122 670-1727c/564-5139 <u>DADCG68@aol.com</u> 670-5060c/564-5116 <u>gibson164@verizon.net</u> 740-424-0122c/748-3407 <u>bettyemullins@yahoo.com</u>

25 Liberty School (SC) Yvonne Tuchalski Judy Pievach (RC) Debbie Rairigh Christine Moroudas Charles Vidmar Jr	24 West Virginia Northern Comm College (SC) Barb Howell R #1 Comm 1 (RC) Margaret Barber D #2 Comm 3 Amanda Brandenburg R #3 Comm 1 Shirley Gillespie D #1 Clerk Robin Wright R #2 Clerk F	23 Liberty School (SC) H. Louise Wright (RC) Stefanie Glover Keri Ann Bauduin Jennifer Glover Diane DeFelice	22 Weirton Heights Elementary School (SC) Desa Rae Stevens D #1 Comm Joyce Keister D #2 Comm Janice Moore R #3 Comm Jo Ann Rusinovich D #1 Clerk (RC) Matt Valenti R #2 Clerk	21 Hancoc County Sheltered Workshop (SC) Katherine Adams D #1 Comm S. Dwight McUmar D #2 Comm (RC) Mary Landis R #3 Comm Naomi Chamberlain D #1 Clerk Linda Riley R #2 Clerk
ססגסג	אַ סאַ סאָ	מסמסמ	R D R D D ta	R D R D D ered
#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #1 Clerk #2 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk	Workshop #1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk
1501 Penn. Ave Apt10, Weirton 3636 Bright Way, Weirton 1209 Euclid Ave, Weirton 94 McKinley Rd, Weirton 3429 West Street Weirton	e 130 Wanda St. Apt 3, Weirton 327 Bennett Dr Weirton 118 North Fork Rd Weirton PO Box 195 Newell PO Box 246, New Cumberland	246 Putnam Ln., Weirton 268 Arner Rd., Chester PO Box 294 New Mancherster 670- 268 Arner Rd., Chester 603 Cove Rd Weirton	222 Oregan Ave Weirton 203 Gregory St, Weirton 127 Montgomery Ave, Weirton 199 Pleasantview Dr, Weirton PO Box 44 New Manchester	144 Harding St, Weirton 3924 Claremont Pl, Weriton 412 Dunn Street Weirton PO Box 168/1595 Rolling Acres Rd, 4944 Wylie Ridge Rd, New Cumber
732-768-2147 <u>yvonne0201@hotmail.com</u> 491-0043c/748-4108 <u>jipicvach@comcast.net</u> 797-8833 670-2139c/748-8397 <u>cmoroudas94@comcast.net</u> 304-479-0527	723-2946 <u>barbara.howell@comcast.net</u> 670-7307c/797-7687 412-251-2713c/914-3192 <u>basketlady2009@comcast.net</u> 224-4621c 564-7112 <u>r-wright556@live.com</u>	670-8774c/723-0802 794-9307c/387-3853 <u>sglover001@student.franciscan.edu</u> 564-5206/564-5306 <u>hevliz@comcast.net</u> 914-7545c/387-3853 670-9488c/748-3451	304-224-5265 desarae1976@yahoo.com 304-670-2083c/723-5327 jbkeister@comcast.net 670-1236 rjmooreb254@att.net 304-374-0470c/723-5825 jlrusinovich@comcast.net 304-670-7673	670-0818c/723-5601 748-2518 304-975-0894 564-3858 <u>e_chamberlain@hotmail.com</u> 907-0294/374-9435c juslin217@hotmail.com

28 United Method (SC) Carol Bloomer (RC) Charles Brown Judith Case Mary Lou Kerr Carla Stevens	27 Broadview Element (SC) Mary Rose Spano Pete Kerr (RC) Charles Wright Joan Hawrot Margaret Sweeney	26 Weirton Hts. Fire Del (SC) Tracy Rocknich Ann Perhacs (RC) Dolores Angelica Salc Patrick Gurrera Cyndy Fisher
United Methodist Church-Penn Ave Carol Bloomer R #1 Comm Charles Brown D #2 Comm Judith Case R #3 Comm Mary Lou Kerr D #1 Clerk Carla Stevens R #2 Clerk	mentary ino ney	Weirton Hts. Fire Dept-Gilson Avenue Tracy Rocknich D #1 Comm Ann Perhacs D #2 Comm Dolores Angelica Salc R #3 Comm Patrick Gurrera D #1 Clerk Cyndy Fisher R #2 Clerk
	omm omm lerk	#1 Comm #2 Comm #3 Comm #1 Clerk #2 Clerk
105 Darby Court, Weirton 1210 2nd Ave New Cumberland 237 Pleasantview Dr., Weirton 1588 Rolling Acres Rd, New Cumbe 134 Victor St, Weirton	245 Greenlawn Blvd., Weirton 1588 Rolling Acres Rd, New Cumbl: 140 Grimm Way,Wierton 134 Smith Street Weirton 129 Victor St, Weirton	#1 Comm 175 Scenic Rd, Weirton #2 Comm 146 Owings Street Weirton #3 Comm 3940 Claremont Place Weirton #1 Clerk 241 Hieghts Street Weirton #2 Clerk 108 Campbell Ln, Weirton
748-4726 564-4027 304-670-5582?/723-1766 <u>jicase237@comcast.net</u> 564-3801 374-7276c/723-0641	723-1358 564-5578 304-670-8597c/723-0746	723-0263/670-2626c tracyrocknich@gmail.com 748-3012 919-9009c/748-0495 angelikas1200@yahoo.com 748-6228 914-1053c/723-3233 marnee1@comcast.net

STC 12:60 (01/02)

CERTIFICATE OF VALUATION

	Board of Education	Hancock
(Levying Body)		(County)
TO:	Scho	ool Board Secretary
	(County Commission President, School Board Se	ecretary or Municipal Clerk or Recorder)

The undersigned Assessor and County Clerk of said County do hereby certify the assessed value of the various classes of real estate, personal property and public utility property for the assessment year 2010

	Column A	Column B	Column C	Column D	Column E
	Assessed Value Including Back Tax	All Other Exempt Value	Gross Assessed	Homestead	Assessed Valuation
	And New Property	(excluding P U)	(Col A Plus Col B)	Exempt Value	For Tax Purposes
	(Total)	(excluding (c)	(County Classification Purposes Only)		(w/o Homestead & Exempt) (Col A Minus Col D)
Class I					•
Personal Property	120		120		120
Public Utility Property	0		0		0
Total Class I	120	0	120		120
Class II					
Real Estate	421,824,360	1,740,000	423,564,360	71,568,560	350,255,800
Personal Property	3,369,840		3,369,840	567,360	2,802,480
Total Class II	425,194,200	1,740,000	426,934,200	72,135,920	353,058,280
Class III					
Real Estate	92,431,940	19,831,130	112,263,070		92,431,940
Personal Property	214,295,460		214,295,460		214,295,460
Public Utility Property	43,240,425		43,240,425		43,240,425
Total Class III	349,967,825	19,831,130	369,798,955		349,967,825
Class IV					
Real Estate	118,990,580	77,054,970	196,045,550		118,990,580
Personal Property	101,830,993		101,830,993		101,830,993
Public Utility Property	26,752,451		26,752,451		26,752,451
Total Class IV	247,574,024	77,054,970	324,628,994		247,574,024
TOTAL FOR					
LEVYING BODY	1,022,736,169	98,626,100	1,121,362,269	72,135,920	950,600,249
Given under our hands this	28th day of	February	, 2010		

County Clerk

NOTE: The above certificate must be in the hands of the levying body no later than March 3. (Section 6, Article 3, Chapter 11, Code of 1931, as amended.) The Assessor is required to certify the valuation of real estate and personal property and the County Clerk is required to certify the value of public utility property as assessed by the Board of Public Works. To avoid

confusion this joint certificate is to be used.

When completed, submit original copy to the levying body, printed copy to the Department of Tax and Revenue, Property Tax Division, P.O. Box 2389, Charleston, WV 25328-2389, printed copy to the State Auditor's Office, Local Government Services Division, 200 W Main St, Clarksburg, WV 26301, and retain a printed copy for your office file. Only a printed copy of the Board of Education page should be forwarded to the State Department of Education.

Original signed copy - Levying Body Photocopy - Tax Dept.

Photocopy - Auditor's Office Photocopy - Retain

Photocopy - Board of Ed. Only - State Dept. of Education

ASSESSED VALUES FOR CALCULATING REDUCED (ROLLED BACK) LEVY RATES

Boa	ard of Education		Hancock	
(Levying Body)			(County)	
TO:		School Board Se	cretary	
	(County Commission	President, School Board Secr		Recorder)
of real estate, pers	Assessor and County Clerk of sai sonal property and public utility pre assessment year 2010	d County, do hereby certify the coperty FOR THE CALCULA	e assessed value of the va ATION OF THE REDUCED	rious classes (ROLLED BACK)
	Column A	Column B	Column C	Column D
	Assessed Valuation For Tax Purposes (w/o Homestead & Exempt)	New Property and Back Tax Property (Excluding TIF)	TIF Tax Incremental Financing V alue	Assessed Valuation For Tax Purposes Minus New Property, Back Tax Property & TIF (Col A Minus Col B and C)
Class I				(=====================================
Personal Property	120	0		120
Public Utility Property	0	0	0	00
Total Class I	120	0	0	120
Class II				;
Real Estate	350,255,800	3,225,930		347,029,870
Personal Property	2,802,480			2,802,480
Total Class II	353,058,280	3,225,930	0	349,832,350
Class III				
Real Estate	92,431,940	117,190		92,314,750
Personal Property	214,295,460	0		214,295,460
Public Utility Property	43,240,425	9,655,652		33,584,773
Total Class III	349,967,825	9,772,842	0	340,194,983
Class IV				
Real Estate	118,990,580	445,660		118,544,920
Personal Property	101,830,993			101,830,993
Public Utility Property	26,752,451	192,319		26,560,132

Given under our hands this 28th day of February , 2010

247,574,024

950,600,249

County Clerk

The valuations above do not include values attributable to back-tax property, homestead property, new construction and improvements or new personal property.

637,979

13,636,751

THE VALUATIONS ARE TO BE USED ONLY FOR THE CALCULATION OF A REDUCED LEVY RATE as required by W.Va. Code § 11-8-6e and 6f. This rate must be applied to the CERTIFICATE OF VALUATIONS (enclosed) for budgeting purposes. These values, like the Certificate of Valuation, are to be in the hands of the levying body not later than March 3.

Print on BLUE paper - Levying Body

Photocopy - Tax Dept.

Photocopy - Auditor's Office

Photocopy - Retain

Total Class IV

TOTAL FOR LEVYING BODY

Photocopy -

Board of Ed. Only - State Dept. of Education

When completed, submit blue copy to the levying body, photocopy to the Department of Tax and Revenue, Property Tax Division, P.O. Box 2389,

Charleston, WV 25328-2389, photocopy to the State Auditor's Office,

Local Government Services Division, 200 W Main St,

Clarksburg, WV 26301, and retain a photocopy for your office file. Only a

photocopy of the Board of Ed. page should be forwarded to the State Dept. of Education.

0

246,936,045

936,963,498

CERTIFICATE OF VALUATION

(Levying Body)	City of Weirton	Hancock	
TO:		(County)	
10.	(County Commission President, School Board	City Clerk Weirton	

The undersigned Assessor and County Clerk of said County do hereby certify the assessed value of the various classes of real estate, personal property and public utility property for the assessment year

	Column A Assessed Value Including Back Tax And New Property (Total)	Column B All Other Exempt Value (excluding P U)	Column C Gross Assessed (Col A Plus Col B) (County Classification Purposes Only)	Column D Homestead Exempt Value	Column E Assessed Valuation For Tax Purposes (w/o Homestead & Exempt) (Col A Minus Col D)
Class I	_				
Personal Property	0		0		0
Public Utility Property	0 .		0		0
Total Class I	0	0	0		0
Class II					
Real Estate	226,505,020	986,390	227,491,410	20 602 040	4
Personal Property	20,400		20,400	39,683,610	186,821,410
Total Class II	226,525,420	986,390	227,511,810	39,683,610	20,400 186,841,810
Class III					100,041,010
Real Estate	0	0	0		
Personal Property	0	0	0		0
Public Utility Property	0	0	0		0
Total Class III	0	0	0		0 0
Class IV					
Real Estate	99,310,430	42,112,030	141,422,460		
Personal Property	88,459,342	0	88,459,342		99,310,430
Public Utility Property	20,359,937	0	20,359,937		88,459,342
Total Class IV	208,129,709	42,112,030	250,241,739		20,359,937 208,129,709
TOTAL FOR					200,129,109
LEVYING BODY	434,655,129	43,098,420	477,753,549	39,683,610	394,971,519
Given under our hands this	28th day of	February ,	2010		

NOTE: The above certificate must be in the hands of the levying body no later than March 3. (Section 6, Article 3, Chapter 11, Code of 1931, as amended.) The Assessor is required to certify the valuation of real estate and personal property and the County Clerk is required to certify the value of public utility property as assessed by the Board of Public Works. To avoid confusion this joint certificate is to be used.

When completed, submit original copy to the levying body, printed copy to the Department of Tax and Revenue, Property Tax Division, 2.O. Box 2389, Charleston, WV 25328-2389, printed copy to the State Auditor's Office, Local Government Services Division, 200 W Main St, Slarksburg, WV 26301, and retain a printed copy for your office file. Only a printed copy of the Board of Education page hould be forwarded to the State Department of Education.

Original signed copy - Levying Body 'hotocopy - Tax Dept.

Photocopy - Auditor's Office Photocopy - Retain

Photocopy - Board of Ed. Only - State Dept. of Education

2010

ASSESSED VALUES FOR CALCULATING REDUCED (ROLLED BACK) LEVY RATES

	City of Weirton	Hancock
(Levying Body)		(County)
TO:	Ci	ty Clerk Weirton
	(County Commission President, S	School Board Secretary or Municipal Clerk or Recorder)

The undersigned Assessor and County Clerk of said County, do hereby certify the assessed value of the various classes of real estate, personal property and public utility property

FOR THE CALCULATION OF THE REDUCED (ROLLED BACK)

LEVY RATE for the assessment year

2010

	Column A	Column B	Column C	Column D
	Assessed Valuation For Tax Purposes (w/o Homestead & Exempt)	New Property and Back Tax Property (Excluding TIF)	TIF Tax Incremental Financing V alue	Assessed Valuation For Tax Purposes Minus New Property, Back Tax Property & TIF (Col A Minus Col B and C)
Class I				
Personal Property	0	0		0
Public Utility Property	0	0	0	0
Total Class I	0	0	0	0
Class II				
Real Estate	186,821,410	1,396,620		185,424,790
Personal Property	20,400			20,400
Total Class II	186,841,810	1,396,620	0	185,445,190
Class III				
Real Estate	0	0		0
Personal Property	0	0		0
Public Utility Property	0	0		0
Total Class III	0	0	0	0
Class IV				
Real Estate	99,310,430	442,600		98,867,830
Personal Property	88,459,342	0		88,459,342
Public Utility Property	20,359,937	27,961		20,331,976
Total Class IV	208,129,709	470,561	0	207,659,148
TOTAL FOR LEVYING BODY	394,971,519	1,867,181	0	393,104,338
Given under our hands this	28th day of	February .	2010	

The Author

County Clerk

Assessor

The valuations above do not include values attributable to back-tax property, homestead property, new construction and improvements or new personal property.

THE VALUATIONS ARE TO BE USED ONLY FOR THE CALCULATION OF A REDUCED LEVY RATE as required by W.Va. Code § 11-8-6e and 6f. This rate must be applied to the CERTIFICATE OF VALUATIONS (enclosed) for budgeting purposes. These values, like the Certificate of Valuation, are to be in the hands of the levying body not later than March 3.

Print on **BLUE** paper - Levying Body

Photocopy - Tax Dept.
Photocopy - Auditor's Office

Photocopy - Retain

Photocopy -

Board of Ed. Only - State Dept. of Education

When completed, submit blue copy to the levying body, photocopy to the Department of Tax and Revenue, Property Tax Division, P.O. Box 2389, Charleston, WV 25328-2389, photocopy to the State Auditor's Office,

Local Government Services Division, 200 W Main St, Clarksburg, WV 26301, and retain a photocopy for your office file. Only a

photocopy of the Board of Ed. page should be forwarded to the State Dept. of Education.

CERTIFICATE OF VALUATION

	City of New Cumberland Hancock
(Levying Bo	(County)
TO:	City Clerk New Cumberland
	(County Commission President, School Board Secretary or Municipal Clerk or Recorder)
The of re	undersigned Assessor and County Clerk of said County do hereby certify the assessed value of the various classes eal estate, personal property and public utility property for the assessment year 2010

	Column A Assessed Value Including Back Tax And New Property (Total)	All Other Exempt Value (excluding P U)	Column C Gross Assessed (Col A Plus Col B) (County Classification Purposes Only)	Column D Homestead Exempt Value	Column E Assessed Valuation For Tax Purposes (wo Homestead & Exempt) (Col A Minus Col D)
Class I					·
Personal Property	0		0		0
Public Utility Property	0		0		0 0
Total Class I	0	0	0		0
Class II					
Real Estate	8,069,640	54,180	8,123,820	1,984,190	C 005 450
Personal Property	25,980	0	25,980	1,904,190	6,085,450
Total Class II	8,095,620	54,180	8,149,800	1,984,190	25,980 6,111,430
Class III					5,,
Real Estate	0	0	0		0
Personal Property	0	0	0		0
Public Utility Property	0	0	0		0
Total Class III	0	0	0		0
Class IV					
Real Estate	6,035,600	29,527,530	35,563,130		C 005 000
Personal Property	5,564,490	0	5,564,490		6,035,600
Public Utility Property	2,574,222	0	2,574,222		5,564,490
Total Class IV	14,174,312	29,527,530	43,701,842		2,574,222 14,174,312
TOTAL FOR LEVYING BODY	22,269,932	29,581,710	51,851,642	1,984,190	20,285,742

2010

County Clerk

NOTE: The above certificate must be in the hands of the levying body no later than March 3. (Section 6, Article 3, Chapter 11,

February

Code of 1931, as amended.) The Assessor is required to certify the valuation of real estate and personal property and the County Clerk is required to certify the value of public utility property as assessed by the Board of Public Works. To avoid confusion this joint certificate is to be used.

When completed, submit original copy to the levying body, printed copy to the Department of Tax and Revenue, Property Tax Division, P.O. Box 2389, Charleston, WV 25328-2389, printed copy to the State Auditor's Office, Local Government Services Division, 200 W Main St, Clarksburg, WV 26301, and retain a printed copy for your office file. Only a printed copy of the Board of Education page should be forwarded to the State Department of Education.

Original signed copy - Levying Body Photocopy - Tax Dept.

Given under our hands this

28th

day of

Photocopy - Auditor's Office Photocopy - Retain Photocopy - Board of Ed. Only - State Dept. of Education

ASSESSED VALUES FOR CALCULATING REDUCED (ROLLED BACK) LEVY RATES

City Of N	lew Cumberland		Hancock	
(Levying Body)			(County)	
TO:		City Clerk New Cur	nberland	
	(County Commission	President, School Board Secr	etary or Municipal Clerk or	Recorder)
The undersigned Asse of real estate, persona LEVY RATE for the as	ii property and public utility di	d County, do hereby certify the coperty FOR THE CALCULA	e assessed value of the va ATION OF THE REDUCED	rious classes (ROLLED BACK)
	Column A	Column B	Column C	Column D
	Assessed Valuation For Tax Purposes (w/o Homestead & Exempt)	New Property and Back Tax Property (Excluding TIF)	TIF Tax Incremental Financing V alue	Assessed Valuation For Tax Purposes Minus New Property, Back Tax Property & TIF (Col A Minus Col B and C)
Class I	_			(OOI A IMMIGS COI B and C
Personal Property	0	0		0
Public Utility Property Total Class I	0	0	0	0
Total Class I	0	0	0	0
Class II				
Real Estate	6,085,450	7,260		6,078,190
Personal Property	25,980	0		25,980
Total Class II	6,111,430	7,260	0	6,104,170
Class III				
Real Estate	0	0		
Personal Property	0	0		0
Public Utility Property	0	0		
Total Class III	0	0	0	0
Class IV				
Real Estate	6,035,600	480		6,035,120
Personal Property	5,564,490	101,055		5,463,435
Public Utility Property	2,574,222	205,778		
Total Class IV	14,174,312	307,313	0	2,368,444
		007,010		13,866,999
OTAL FOR LEVYING BODY	20,285,742	314,573	0	19,971,169
Given under our hands this	28th day of	February ,	2010	
Given under our hands this		February ,	2010	

The valuations above do not include values attributable to back-tax property, homestead property, new construction and improvements or new personal property.

THE VALUATIONS ARE TO BE USED ONLY FOR THE CALCULATION OF A REDUCED LEVY RATE as required by W.Va. Code § 11-8-6e and 6f. This rate must be applied to the CERTIFICATE OF VALUATIONS (enclosed) for budgeting purposes. These values, like the Certificate of Valuation, are to be in the hands of the levying body not later than March 3.

Print on **BLUE** paper - Levying Body

Photocopy - Tax Dept.

Photocopy - Auditor's Office

Photocopy - Retain

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When completed, submit blue copy to the levying body, photocopy to the Department of Tax and Revenue, Property Tax Division, P.O. Box 2389, Charleston, WV 25338 2389, photocopy to the Charleston, WV 25338 2389, photocopy to the Charleston.

Charleston, WV 25328-2389, photocopy to the State Auditor's Office,

Local Government Services Division, 200 W Main St.

Clarksburg, WV 26301, and retain a photocopy for your office file. Only a

photocopy of the Board of Ed. page should be forwarded to the State Dept. of Education.

CERTIFICATE OF VALUATION

	City of Chester	Hancock
(Levying Body)		(County)
TO:	Cit	y Clerk Chester
	(County Commission President, School Board Secretary)	etary or Municipal Clerk or Recorder)

The undersigned Assessor and County Clerk of said County do hereby certify the assessed value of the various classes of real estate, personal property and public utility property for the assessment year 2010

	Column A Assessed Value Including Back Tax And New Property (Total)	Column B All Other Exempt Value (excluding P U)	Column C Gross Assessed (Col A Plus Col B) (County Classification Purposes Only)	Column D Homestead Exempt Value	Column E Assessed Valuation For Tax Purposes (w/o Homestead & Exempt) (Col A Minus Col D)
Class I					
Personal Property	0		0		0
Public Utility Property	0		0		0
Total Class I	0	0	0		0
Class II					
Real Estate	23,648,200	203,400	23,851,600	5,386,910	18,261,290
Personal Property	37,080		37,080	4,260	32,820
Total Class II	23,685,280	203,400	23,888,680	5,391,170	18,294,110
Class III					
Real Estate	0	0	0		0
Personal Property	0	0	0		0
Public Utility Property	0	0	0		0
Total Class III	0	0	0		0
Class IV					
Real Estate	13,644,550	5,415,410	19,059,960		13,644,550
Personal Property	7,807,161	0	7,807,161		7,807,161
Public Utility Property	3,818,292	0	3,818,292		3,818,292
Total Class IV	25,270,003	5,415,410	30,685,413		25,270,003
TOTAL FOR					
LEVYING BODY	48,955,283	5,618,810	54,574,093	5,391,170	43,564,113

Given under our hands this _____, 2010

County Clerk

NOTE: The above certificate must be in the hands of the levying body no later than March 3. (Section 6, Article 3, Chapter 11, Code of 1931, as amended.) The Assessor is required to certify the valuation of real estate and personal property and the County Clerk is required to certify the value of public utility property as assessed by the Board of Public Works. To avoid confusion this joint certificate is to be used.

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ASSESSED VALUES FOR CALCULATING REDUCED (ROLLED BACK) LEVY RATES

City	of Chester	Hancock
(Levying Body)		(County)
TO:	City C	lerk Chester
	(County Commission President, Schoo	Board Secretary or Municipal Clerk or Recorder)

The undersigned Assessor and County Clerk of said County, do hereby certify the assessed value of the various classes of real estate, personal property and public utility property

FOR THE CALCULATION OF THE REDUCED (ROLLED BACK)

LEVY RATE for the assessment year 2010

	Column A	Column B	Column C	Column D
Class I	Assessed Valuation For Tax Purposes (w/o Homestead & Exempt)	New Property and Back Tax Property (Excluding TIF)	TIF Tax Incremental Financing V alue	Assessed Valuation For Tax Purposes Minus New Property, Back Tax Property & TIF (Col A Minus Col B and C)
Personal Property	0			0
Public Utility Property	0	0	0	0
Total Class I	0	0	0	0
Class II				
Real Estate	18,261,290	3,180		18,258,110
Personal Property	32,820	0		32,820
Total Class II	18,294,110	3,180	0	18,290,930
Class III				
Real Estate	0	0		0
Personal Property	0	0		0
Public Utility Property	0	0		0
Total Class III	0	0	0	0
Class IV				
Real Estate	13,644,550	2,580		13,641,970
Personal Property	7,807,161	0		7,807,161
Public Utility Property	3,818,292	0		3,818,292
Total Class IV	25,270,003	2,580	0	25,267,423
TOTAL FOR LEVYING BODY	43,564,113	5,760	0	43,558,353

Given under our hands this 28th day of February , 2010

County Clerk

The valuations above do not include values attributable to back-tax property, homestead property, new construction and improvements or new personal property.

THE VALUATIONS ARE TO BE USED ONLY FOR THE CALCULATION OF A REDUCED LEVY RATE as required by W.Va. Code § 11-8-6e and 6f. This rate must be applied to the CERTIFICATE OF VALUATIONS (enclosed) for budgeting purposes. These values, like the Certificate of Valuation, are to be in the hands of the levying body not later than March 3.

Print on **BLUE** paper - Levying Body Photocopy - Tax Dept. Photocopy - Auditor's Office Photocopy - Retain Photocopy -

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CERTIFICATE OF VALUATION

County Commission		Hancock		
(Levying Body)		(County)		
TO:	Co	unty Commission President		

(County Commission President, School Board Secretary or Municipal Clerk or Recorder)

The undersigned Assessor and County Clerk of said County do hereby certify the assessed value of the various classes of real estate, personal property and public utility property for the assessment year

	Column A Assessed Value Including Back Tax And New Property (Total)	Column B All Other Exempt Value (excluding P U)	Column C Gross Assessed (Col A Plus Col B) (County Classification Purposes Only)	Column D Homestead Exempt Value	Column E Assessed Valuation For Tax Purposes (w/o Homestead & Exempt) (Col A Minus Col D)
Class I					
Personal Property	120		120		120
Public Utility Property	0		0		0
Total Class I	120	0	120		120
Class II			·		
Real Estate	421,824,360	1,740,000	423,564,360	71,568,560	350,255,800
Personal Property	3,369,840		3,369,840	567,360	2,802,480
Total Class II	425,194,200	1,740,000	426,934,200	72,135,920	353,058,280
Class III					
Real Estate	92,431,940	19,831,130	112,263,070		92,431,940
Personal Property	214,295,460		214,295,460		214,295,460
Public Utility Property	43,240,425		43,240,425		43,240,425
Total Class III	349,967,825	19,831,130	369,798,955		349,967,825
Class IV					
Real Estate	118,990,580	77,054,970	196,045,550		118,990,580
Personal Property	101,830,993		101,830,993		101,830,993
Public Utility Property	26,752,451		26,752,451		26,752,451
Total Class IV	247,574,024	77,054,970	324,628,994		247,574,024
TOTAL FOR LEVYING BODY	1,022,736,169	98,626,100	1,121,362,269	72,135,920	950,600,249
				<u>l</u>	

Given under our hands this

28th

day of

February

2010

County Clerk

NOTE: The above certificate must be in the hands of the levying body no later than March 3. (Section 6, Article 3, Chapter 11, Code of 1931, as amended.) The Assessor is required to certify the valuation of real estate and personal property and the County Clerk is required to certify the value of public utility property as assessed by the Board of Public Works. To avoid confusion this joint certificate is to be used.

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ASSESSED VALUES FOR CALCULATING REDUCED (ROLLED BACK) LEVY RATES

County C	Commission Hancock		
(Levying Body)	(County)		
TO:	County Commission President		
	(County Commission President, School Board Secretary or Municipal Clerk or Recorder)		
The			

The undersigned Assessor and County Clerk of said County, do hereby certify the assessed value of the various classes of real estate, personal property and public utility property FOR THE CALCULATION OF THE REDUCED (ROLLED BACK) LEVY RATE for the assessment year

	Column A	Column B	Column C	
	Assessed Valuation For Tax Purposes (w/o Homestead & Exempt)	New Property and Back Tax Property (Excluding TIF)	TIF Tax Incremental Financing V alue	Assessed Valuation For Tax Purposes Minus New Property, Back Tax Property & TIF (Col A Minus Col B and C)
Class I	100	_		
Personal Property	120	0		120
Public Utility Property Total Class I	0	0	0	0
Total Class I	120	0	0	120
Class II				
Real Estate	350,255,800	3,225,930		347,029,870
Personal Property	2,802,480			2,802,480
Total Class II	353,058,280	3,225,930	0	349,832,350
Class III				
Real Estate	92,431,940	117,190		92,314,750
Personal Property	214,295,460	0		214,295,460
Public Utility Property	43,240,425	9,655,652		33,584,773
Total Class III	349,967,825	9,772,842	0	340,194,983
Class IV	-			
Real Estate	118,990,580	445,660		118,544,920
Personal Property	101,830,993			101,830,993
Public Utility Property	26,752,451	192,319		26,560,132
Total Class IV	247,574,024	637,979	0	246,936,045
TOTAL FOR LEVYING BODY	950,600,249	13,636,751	0	936,963,498
Given under our hands this	28th day of	February ,	2010	
and the same of th				

The valuations above do not include values attributable to back-tax property, homestead property, how construction and improvements or new personal property.

THE VALUATIONS ARE TO BE USED ONLY FOR THE CALCULATION OF A REDUCED LEVY RATE as required by W.Va. Code § 11-8-6e and 6f. This rate must be applied to the CERTIFICATE OF VALUATIONS (enclosed) for budgeting purposes. These values, like the Certificate of Valuation, are to be in the hands of the levying body not later than March 3.

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Local Government Services Division, 200 W Main St,

Clarksburg, WV 26301, and retain a photocopy for your office file. Only a

photocopy of the Board of Ed. page should be forwarded to the State Dept. of Education.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, WEST VIRGINIA \$37,000,000 Public School Bonds, Series 2011

CERTIFICATE OF BONDED INDETEDNESS

I, Suzan Smith, Superintendent of Schools of the County of Hancock and Secretary of the Board of Education of said County, hereby certify that the Hancock County School District had no outstanding bonded indebtedness as of July 12, 2010, the date on which said Board entered an order submitting the question of issuance of \$37,000,000 Public School Bonds to an election (which election was held on November 2, 2010, and resulted in approval by the voters of Hancock County School District of issuance of such Bonds).

The assessed valuation of taxable property in Hancock County School District at said date was \$950,600,249 and five percent (5%) thereof is \$47,530,012.

WITNESS my signature and the seal of said Board on this 10th day of March, 2011.

By

Superintendent and Secretary of The Board of Education of Hancock County, West Virginia

\$37,000,000

The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

CERTIFICATE OF UNDERWRITER

Wells Fargo Bank, National Association (the "Underwriter"), as underwriter of the Series 2011 Bonds identified above (the "Series 2011 Bonds"), issued by The Board of Education of Hancock County, West Virginia (the "Issuer"), based on its knowledge regarding the sale of the Series 2011 Bonds, certifies as of this date as follows:

- 1. All of the Series 2011 Bonds were offered to the general public in a bona fide public offering at the initial offering prices set forth on Exhibit A attached hereto (the "Initial Offering Price" as applicable to the respective maturities). The fair market value of the Series 2011 Bonds is not in excess of the Initial Offering Price. The Issue Price of the Series 2011 Bonds, based upon the reasonable expectations of the Underwriter as of the date of the initial offering is \$ 37,000,000. Except for the 2012-2015; 2019-2021; 2025; 2027-2030; 2032 and 2034 maturities, a substantial amount of each maturity of the Series 2011 Bonds (in excess of 10% of each maturity) was sold to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters of wholesalers) at the Initial Offering Price applicable to such maturity.
- 2. For purposes of the Information Return required by Section 149(e) of the Code to be filed in connection with the Series 2011 Bonds:
 - (a) The weighted average maturity of the Series 2011 Bonds is 15.5206 years.
 - (b) The yield on the Series 2011 Bonds is 4.340477 TIC%.
 - (c) The CUSIP Number assigned to the final maturity of the Series 2011 Bonds is 410090DC5.
- 3. At the Issuer's direction, based upon our participation in the transaction and our knowledge and experience with bond insurance (in which the credit enhancer has no involvement other than as a credit enhancer), and, as to (b) below, based on estimates by the Underwriter of the likely Yields at which such obligations may have sold in the absence of the bond insurance:
 - (a) The premium paid for the Bond Insurance on the Series 2011 Bonds does not exceed a reasonable charge for the transfer of credit risk, taking into account charges by credit enhancers in similar transactions with which the Underwriter is familiar.
 - (b) The present value of the premium paid for the Bond Insurance is less than the present value of the interest reasonably expected to be saved on the Series 2011 Bonds as a result of the Bond Insurance, for which purpose present value is computed by using the yield-to-maturity (or prior optional redemption date, if applicable) of the Series 2011 Bonds (taking into account both the premium paid for the Bond Insurance) as the discount rate.

4. [All Series 2011 Bonds have an initial Offering Price that exceed their stated redemption price at maturity. The Premium for the Series 2011 Bonds is \$_6,007.45.]

All capitalized terms not defined in this Certificate have the respective meanings set forth in the Tax and Non-Arbitrage Certificate.

The signer is an officer of the Underwriter and duly authorized to execute and deliver this Certificate of the Underwriter. The Underwriter understands that the certifications contained in this Certificate will be relied on by the Issuer in making certain of their representations in the Tax and Non-Arbitrage Certificate and in completing and filing the Information Return for the Series 2011 Bonds, and by Bowles Rice McDavid Graff & Love LLP, as Bond Counsel, in rendering certain of its legal opinions in connection with the issuance of the Series 2011 Bonds.

Dated March 1, 2011.

[Wells Fargo Bank, National Association

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, WEST VIRGINIA \$37,000,000 PUBLIC SCHOOL BONDS, SERIES 2011

REGISTRAR AND AUTHENTICATING AGENT'S CERTIFICATE

The undersigned, Authorized Officer of WesBanco Bank, Inc., Wheeling, West Virginia, (the "Bank"), hereby certifies as follows with respect to the above-captioned Bonds (the "Bonds"):

The Bank has full power and authority to enter into and carry out the provisions of the Registrar's Agreement, dated March 10, 2011, by and between The Board of Education of the County of Hancock (the "Issuer") and the Bank (the "Agreement").

The person whose title, name and signature is set forth below hold the position, by election or appointment by the Board of Directors of the Bank shown opposite to his/her respective name, and such person has been named and designated as authorized officer of the Bank to authenticate and register the Bonds, to deliver certificates on behalf of the Bank in connection with the closing of the sale of the Bonds and to take any other actions required by the Agreement.

Title

Name

Vice President

Janet Shelburne

Signature

Janet Shelburne was duly authorized to, and did on or prior to the date hereof, execute and deliver the Agreement to the Issuer on behalf of the Bank.

The undersigned has received on or prior to the date hereof a direction on behalf of the Issuer to authenticate and deliver the Bonds to Wells Fargo Bank, National Association, as original purchase thereof.

The Bank has received from the Issuer on the date hereof the Bonds, in the respective numbers and denominations, maturing on May 1 of such years, and bearing interest at such rates, all as set forth in the Official Statement dated February 24, 2011, relating thereto. At the time of such receipt, each of the Bonds had been executed by the signature of the President and the seal of the Issuer had been impressed or affixed thereto and attested by the signature of the Attorney General of the State of West Virginia.

The Bank has duly authenticated the Bonds originally issued as March 10, 2011, by manually executing on each of such Bonds a certificate in the following form:

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the Bonds of the Series designated therein, described in the within-mentioned Resolution and Order and has been duly registered in the name of the Registered Owner set forth above, as of the date set forth below. Imprinted on the reverse hereof is the complete text of the opinion of Bowles Rice McDavid Graff & Love LLP, Bond Counsel, a signed original of which is on file with the undersigned, delivered and dated on the date of the original delivery of and payment for the Bonds.

WESBANCO BANK, INC., as Registrar

By: _______
Janet Shelburne

Its: Vice President

Dated: March 10, 2011

WITNESS MY SIGNATURE this the 10th day of March, 2011.

Authorized Office

\$37,000,000 THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA)

Public School Refunding Bonds, Series 2011

CERTIFICATE OF PAYING AGENT

The undersigned SARA BOARDMAN, Executive Director of the WEST VIRGINIA MUNICIPAL BOND COMMISSION (the "Bond Commission"), hereby certifies as follows:

- 1. I am the duly appointed Executive Director of the Bond Commission
- 2. The Bond Commission has duly authorized, by all necessary action, the acceptance of all duties of the Paying Agent for the above-captioned Bonds (the "Bonds") under the Resolution and Order pursuant to which they were issued, dated November 29, 2010.

WITNESS my signature this 10th day of March, 2011.

WEST VIRGINIA MUNICIPAL BOND COMMISSION

Its: Executive Director

\$37,000,000 THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA) Public School Bonds, Series 2011

RULE 15c2-12 CERTIFICATE OF THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA)

The undersigned Gerald Durante, hereby certifies and represents to Wells Fargo Bank, National Association (the "Original Purchaser"), that he is the duly elected and acting President of THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (West Virginia) (the "Board"), authorized to execute and deliver this Certificate and further certifies on behalf of the Board to Raymond James & Associates, Inc. (the "Financial Advisor") as follows:

- (1) This Certificate is delivered to enable the Financial Advisor and the Original Purchaser to comply with Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (the "Rule"), in connection with the issuance of The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011 (the "Bonds").
- (2) In connection with the issuance of the Bonds, there has been prepared a Preliminary Official Statement, dated February 10, 2011, setting forth information concerning the Bonds and the issuer of the Bonds (the "Preliminary Official Statement").
- (3) As used herein, "Permitted Omissions" shall mean the offering price(s), interest rate(s), aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms depending on such matters, all with respect to the Bonds.
- (4) The Preliminary Official Statement with such changes as have been agreed to by the parties is, except for the Permitted Omissions, deemed final within the meaning of the Rule as of this date, and the information therein is accurate and complete except for the Permitted Omissions.
- (5) If, at any time prior to the award of Bonds, any event occurs as a result of which the Preliminary Official Statement might include an untrue statement of a material fact or omit to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, the Board shall promptly notify the Financial Advisor and Original Purchaser thereof.
- (6) The Board hereby agrees to deliver to the Financial Advisor and Original Purchaser within seven (7) business days after the award of the Bonds to the Original Purchaser, a final Official Statement pursuant to paragraph (b)(3) of the Rule.

IN WITNESS WHEREOF, I have hereunto set my hand as of this $10^{\rm th}$ day of March, 2011.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

By: Aller

[Signature Page to Rule 15c2-12 Certificate - Hancock County]

101 South Queen Street Martinsburg, West Virginia 25401 (304) 263-0836

7000 Hampton Center Morgantown, West Virginia 26505 (304) 285-2500

333 West Vine Street, Suite 1700 Lexington, Kentucky 40507-1639 (859) 252-2202



600 Quarrier Street Charleston, West Virginia 25301

Post Office Box 1386 Charleston, West Virginia 25325-1386 (304) 347-1100

www.bowlesrice.com

March 10, 2011

5th Floor, United Square 501 Avery Street Parkersburg, West Virginia 26101 (304) 485-8500

480 West Jubal Early Drive Suite 130 Winchester, Virginia 22601 (540) 723-8877

The Board of Education of the County of Hancock New Cumberland, West Virginia

Wells Fargo Bank, National Association Charlotte, North Carolina

Re: \$37,000,000 The Board of Education of Hancock County [West Virginia] Public School Bonds, Series 2011

Dear Ladies and Gentlemen:

We have examined a record of the proceedings relative to the issuance and sale of \$37,000,000 Public School Bonds, Series 2011 (the "Bonds"), of Hancock County School District, by and through The Board of Education of the County of Hancock (the "Issuer") in the State of West Virginia. The Bonds are issued in fully registered form, are dated March 10, 2011, upon original issuance, are numbered in order of maturity from R-1 consecutively upward, are of the denominations of \$5,000 or integral multiples thereof, mature on May 1 in the years and amounts and bear interest payable each May 1 and November 1, commencing November 1, 2011, at the rates set forth in the Official Statement of the Issuer, dated February 24, 2011.

The Bonds were authorized at the general election held in the Hancock County School District on November 2, 2010, and by a Resolution and Order adopted by the Issuer on July 12, 2010, as supplemented (such Resolution and Order, as supplemented, herein called the "Resolution"), and are issued pursuant to Chapter 13, Article 1 of the West Virginia Code of 1931, as amended (the "Act"), for the purposes of providing funds for the acquisition, construction, renovation, repair and equipping of certain public school buildings, together with the sites thereof and all necessary appurtenances, in the Hancock County School District, and paying costs of issuance of the Bonds.

As to questions of fact material to our opinion, we have relied upon the representations, covenants and certifications of the Issuer contained in the Resolution, a Tax and Arbitrage Certificate of the Issuer dated the date hereof (the "Tax Certificate") and the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.



The Board of Education of the County of Hancock Wells Fargo Bank, National Association March 10, 2011 Page 2

We have not been engaged or undertaken to review the accuracy, completeness or sufficiency of the Official Statement or other offering material relating to the Bonds (except to the extent, if any, stated in the Official Statement), and we express no opinion relating thereto (excepting only the matters set forth as our opinion in the Official Statement).

Based upon the foregoing, and assuming compliance with the representations, covenants and certifications of the Issuer contained in the Resolution, the Tax Certificate and the certified proceedings and the certifications made in connection with the issuance of the Bonds, we are of the opinion that, under existing law:

- 1. The Issuer is a school district presently existing under the laws of, and a political subdivision of, the State of West Virginia, with full power and authority to adopt the Resolution and to issue and sell the Bonds under the provisions of the Act and other applicable provisions of law.
- 2. The Bonds have been duly authorized and validly issued by the Issuer in accordance with the Constitution and statutes of the State of West Virginia and constitute valid and legally binding general obligations of the Issuer, and unless the Bonds are paid from other sources, the Issuer has power and is obligated to levy ad valorem taxes upon all the taxable property within the Hancock County School District to pay the Bonds and the interest thereon, without limitation as to rate or amount.
- States of America, as presently written and applied, the interest on the bonds is not includable in gross income of the owners thereof for Federal income tax purposes and is not an item of tax preference for purposes of the Federal alternative minimum tax imposed upon individuals and corporations. The opinions set forth in the preceding sentence are subject to the condition that the Issuer comply, on a continuing basis, with all representatives, covenants and certifications set forth in the Resolution, the Tax Certificate and the certified proceedings and other certifications of the Issuer. Failure to comply with such representations, covenants and certifications could cause the interest on the Bonds to be includable in gross income retroactive to the date of issuance of the Bonds. We express no opinion regarding other federal tax consequences arising with respect to the Bonds.
- 4. Under the Act, the Bonds are exempt from taxation by the State of West Virginia or any political subdivision thereof.



The Board of Education of the County of Hancock Wells Fargo Bank, National Association March 10, 2011 Page 3

Please be advised that the enforcement of remedies with respect to the Bonds is subject to any applicable bankruptcy, reorganization, insolvency, moratorium or other laws affecting the enforcement of creditors' rights heretofore or hereafter enacted, and that enforcement May also be subject to the exercise of judicial discretion in appropriate cases.

We have examined the executed and authenticated Bond No. R-1 of said issue, and in our opinion, said Bond is in proper form and has been duly executed and authorized.

Very truly yours,

Bowles Reie David Graff & Lorone LLP

600 Quarrier Street Charleston, West Virginia 25301 (304) 347-1100

101 South Queen Street Martinsburg, West Virginia 25401 (304) 263-0836

333 West Vine Street, Suite 1700 Lexington, Kentucky 40507-1639 (859) 252-2202



7000 Hampton Center, Suite K Morgantown, West Virginia 26505 (304) 285-2500

www.bowlesrice.com

March 10, 2011

5th Floor, United Square 501 Avery Street Parkersburg, West Virginia 26101 (304) 485-8500

480 West Jubal Early Drive Suite 130 Winchester, Virginia 22601 (540) 723-8877

The Board of Education of the County of Hancock 202 Chestnut Street Lewisburg, West Virginia 24901-1108

Re: \$37,000,000 The Board of Education of the County of Hancock [West Virginia] Public School Bonds, Series 2011

Ladies and Gentlemen:

We are Special Counsel to the Board of Education of the County of Hancock, West Virginia (the "Board") with respect to the issuance and sale of its \$37,000,000 Public School Bonds, Series 2011 (the "Bonds").

We have reviewed copies of the approving opinion of Bowles Rice McDavid Graff & Love LLP, Charleston, West Virginia, as Bond Counsel, and the Resolution and Order (the "Resolution") relating to the Bonds and such other documents and certificates we deem relevant or necessary for purposes of rendering the opinions herein. All capitalized terms used herein and not otherwise defined herein shall have the meanings set forth in said opinion and Resolution.

Based upon the foregoing, we are of the opinion that:

- 1. The Board is a duly organized and validly existing school board under and pursuant to the Constitution and laws of the State of West Virginia, with full legal right, power and authority to adopt the Resolution, to pledge the security as set forth in the Resolution, to issue, sell and deliver the Bonds to the purchaser thereof, to own and operate the public school facilities of Hancock County and conduct the business thereof as set forth in and contemplated by the Official Statement and to carry out, give effect to and consummate the transactions contemplated by the Bonds, the Resolution and the Official Statement.
- 2. The Bonds have been duly authorized, executed and delivered by, and the Resolution has been duly adopted by, and each constitutes a legal, valid and binding agreement and obligation of the Board, enforceable in accordance with their terms, except as enforcement may be limited by bankruptcy, reorganization, insolvency, moratorium or other laws affecting the enforcement of creditors' rights from time to time in effect and except that no opinion is expressed as to the enforceability of Section 3 of the Registrar's Agreement insofar as the



The Board of Education of the County Hancock March 10, 2011 Page 2

provisions thereof require the Board to indemnify and hold harmless the Paying Agent in certain circumstances.

- 3. The Board has duly authorized the execution, delivery and distribution of the Official Statement.
- The Board is not, to the best of our knowledge after reasonable investigation, in breach of or in default under any constitutional provision, applicable law or administrative rule or regulation of the State of West Virginia, the United States, or of any department, division, agency or instrumentality of either thereof, or any applicable court or administrative decree or order, or note, ordinance, resolution, indenture, contract, agreement or other instrument to which the Board is a party or to which the Board or any of the properties or assets of the public school facilities of Hancock County are otherwise subject or bound, which breach or default, in any material way, directly or indirectly, would affect operation hereof, the issuance, execution or delivery of the bonds or the validity thereof, the validity or enactment of the Resolution and Order or the execution or delivery of the Official Statement or the other instruments contemplated by any of such documents to which the Board is a party; and no event has occurred and is continuing which, with the passage of time or the giving of notice or both, would constitute such a breach or default; and the adopting of the Resolution, and the execution and delivery of the Bonds, the Official Statement and the other documents and instruments contemplated by any of such documents, and compliance with the provisions of each thereof, will not conflict with or constitute a breach of or default under any constitutional provision, applicable law or administrative rule or regulation of the State of West Virginia, the United States, or of any department, division, agency or instrumentality of either thereof, or any applicable court or administrative decree or order, or any loan agreement, note, ordinance, resolution, indenture, contract, or other instrument to which the Board is a party or to which the Board or any of the properties or assets of the Board are otherwise subject or bound.
- 5. All approvals, consents, authorizations, elections and orders of or filings or registrations with any governmental authority, legislative body, board, agency or commission having jurisdiction, which would constitute conditions precedent to, or the absence of which would materially adversely affect the due performance by the Board of its obligations under the Resolution or the Bonds have been duly obtained and are in full force and effect, except for such approvals, consents and orders as may be required under the Blue Sky or securities laws of any state in connection with the offering and sale of the Bonds, as to which no opinion is hereby expressed.
- 6. No action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, regulatory agency, public board or body, is pending or, to our knowledge, threatened in any way questioning or affecting the existence of the Board, or the titles of the officers and members of the Board to their respective offices, or seeking to prohibit, restrain or



The Board of Education of the County Hancock March 10, 2011 Page 3

enjoin the issuance, sale or delivery of the Bonds, the application of the proceeds thereof in accordance with the Resolution or the collection or application of the <u>ad valorem</u> taxes of Hancock County, West Virginia and any other assets pledged or to be pledged to pay the principal of and interest on the Bonds, or in any way contesting or affecting the validity or enforceability of the Bonds, the Resolution or any action of the Board, contemplated by any of said documents, or in any way contesting the completeness or accuracy of the Official Statement or contesting the powers or authority of the Board, with respect to the issuance, sale or delivery of the Bonds, the adoption of the Resolution, or the execution and delivery of the Bonds, or any action on the part of the Board, which would adversely affect the exemption of interest to be paid on the Bonds from federal income taxation, nor to our knowledge is there any basis therefor.

7. Without having made any independent investigations of the operation or affairs of the Board, or any independent certification of the statements of fact contained in the Official Statement including the appendices thereto, the Official Statement (except as to any financial and statistical data contained in the Official Statement, as to which no opinion or belief is hereby expressed) does not contain any untrue statement of a material fact or omit to state a material fact which, in our judgment, is required to be stated therein in order to make the statements therein, in light of the circumstances under which they were made, not misleading.

Very truly yours, Burles Ris Mc Tavid Graff Love LLP

CERTIFICATION

I, Suzan Smith, Superintendent and Secretary of the Board of Education of the County of Hancock, West Virginia, do hereby certify that the attached is a true and accurate copy of the Minutes of The Board of Education of the County of Hancock held on the 24th day of February, 2011.

Dated this 10th day of March, 2011.

Suzan Smith, Superintendent and Secretary of Hancock County Board of Education

[West Virginia]

HANCOCK COUNTY BOARD OF EDUCATION SPECIAL MEETING February 24, 2011

STATE OF WEST VIRGINIA:

COUNTY OF HANCOCK: At the Office of the Board of Education

New Cumberland, West Virginia; Thursday,

February 24, 2011

MEMBERS PRESENT: Laura Greathouse, John Manypenny,

Patsy Brancazio, Gerald Durante, and

Toni Hinerman

STAFF PRESENT: Superintendent Suzan Smith and on the speaker

phone from the Offices of Raymond James & Associates, Inc., Charleston, West Virginia, Director of Finance Joseph Campinelli

MEMBERS ABSENT: None

The meeting was called to order at 12:35 p.m. by President Durante. The President noted that on the speaker phone were Director of Finance Joseph Campinelli, Marie Prezioso and Joseph Nassif of Raymond James & Associates, Inc., the Board's Financial Advisor, and Edward D. McDevitt of Bowles Rice McDavid Graff & Love LLP, Bond Counsel.

The participants were advised that the purpose of the meeting was to open and to consider bids to purchase the \$37,000,000 Public School Bonds, Series 2011(the "Bonds"), in accordance with the maturity schedule attached as Schedule 1, to be issued by the Board and to authorize the sale of the Bonds to the low bidder.

Ms. Prezioso read the name of the low bidder for the purchase of the Bonds along with the true interest cost for the entire issue to the Board members and was available to answer questions.

Toni Hinerman moved and Laura Greathouse seconded the motion to accept the low true interest cost bid of 4.34% (plus a premium of 6,007.45) received from Wells Fargo Bank National Association and authorized President Durante to sign the official, formal bid proposal which was stated at a rate of 4.34% and with a maturity schedule, attached, on Schedule 1. Motion carried with all members voting in favor of the motion (5-0).

John Manypeny moved and Patsy Brancazio seconded the motion that the Supplemental Resolution be approved. Motion carried with all members voting in favor of the motion (5-0).

SCHEDULE 1

<u>YEAR</u>	PRINCIPAL AMOUNT
2012	\$595,000
2013	\$865,000
2014	\$900,000
2015	\$945,000
2016	\$985,000
2017	\$1,030,000
2018	\$1,080,000
2019 .	\$1,130,000
2020	\$1,180,000
2021	\$1,235,000
2022	\$1,290,000
2023	\$1,350,000
2024	\$1,415,000
2025	\$1,480,000
2026	\$1,545,000
2027	\$1,620,000
2028	\$1,695,000
2029	\$1,770,000
2030	\$1,850,000
2031	\$1,935,000
2032	\$2,025,000
2033	\$2,120,000
2034	\$2,215,000
2035	\$2,320,000
2036	\$2,425,000

37,000,000 THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA) PUBLIC SCHOOL BONDS, SERIES 2011

SUPPLEMENTAL RESOLUTION

WHEREAS, the Board of Education of the County of Hancock, West Virginia (the "Issuer"), did, on December 4, 2010, adopt and enter of record a Resolution and Order Directing Issuance of Bonds, (the "Resolution") authorizing the issuance of the above-captioned bonds (the "Bonds");

WHEREAS, the Resolution provided for certain details of the Bonds and designation of a Registrar and Paying Agent to be set forth in a resolution or resolutions supplemental thereto; and

WHEREAS, pursuant to the Resolution and applicable law, the Issuer has duly and properly advertised the Bonds for sale upon sealed or electronic proposals to be received by the Issuer until 12:00 Noon, on the date hereof, being February 24, 2011;

WHEREAS, all proposals received have been reviewed by representatives of the Issuer and Raymond James & Associates, Inc., the Issuer's Financial Advisor, and the highest responsible bidder (lowest true interest cost) has been determined;

WHEREAS, the Issuer wishes to adopt this Supplemental Resolution in order to award the sale of the Bonds to the highest responsive bidder to set forth the interest rates on the Bonds, to appoint and designate the Registrar and Paying Agent, to approve a certificate relating to the Official Statement for the Bonds, and to approve other matters relating to the Bonds;

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, WEST VIRGINIA, AS FOLLOW:

- 1. The Bonds shall be sold to Wells Fargo Bank National Association, being the highest responsible bidder (lowest true interest cost) thereon.
- 2. The Bonds shall be dated the date of delivery thereof (anticipated to be March 10, 2011), and shall bear interest at the rates and shall mature on the dates and in the amounts as follow:

Maturity (May 1)	Principal <u>Amount</u>	Interest <u>Rate</u>
2012	\$595,000	
2013	\$865,000	
2014	\$900,000	

2015	\$945,000
2016	\$985,000
2017	\$1,030,000
2018	\$1,080,000
2019	\$1,130,000
2020	\$1,180,000
2021	\$1,235,000
2022	\$1,290,000
2023	\$1,350,000
2024	\$1,415,000
2025	\$1,480,000
2026	\$1,545,000
2027	\$1,620,000
2028	\$1,695,000
2029	\$1,770,000
2030	\$1,850,000
2031	\$1,935,000
2032	\$2,025,000
2033	\$2,120,000
2034	\$2,215,000
2035	\$2,320,000
2036	\$2,425,000

- 3. The Bonds maturing on or after May 1, 2022, are subject to redemption on or after May 1, 2021, at the option of the Board, in whole at any time or in part on any interest payment date, from monies available for such purpose, at par plus interest, if any, accrued to the date fixed for redemptions.
- 4. The Issuer hereby designates WesBanco Bank, Inc., with its principal office in Wheeling, West Virginia, as Registrar and the West Virginia Municipal Bond Commission, with its principal office in Charleston, West Virginia, as Paying Agent for the Bonds.
- 5. The Certificate of the Issuer relating to compliance with SEC Rule 15c2-12 and the execution and delivery thereof by the President of the Issuer are hereby approved and directed.
- 6. The Issuer hereby approves the initial deposit of proceeds of the Bonds or any portion thereof with the West Virginia State Treasurer's Consolidated Fund, Charleston, West Virginia, and directs the Board to take such actions as are appropriate to accomplish such deposit. The Treasurer is hereby further directed to invest such proceeds in a guaranteed investment contract or other guaranteed investment at such time as the Issuer may deem appropriate.

This Supplemental Resolution shall be effective immediately.

THE BOARD OF EDUCATION OF THE COUNTY OF Hancock County Schools

Bv:

Gerald Durante, President

CERTIFICATION

Certified a true, correct and complete copy of a Supplemental Resolution duly adopted by the Board of Education of the County of Hancock (West Virginia) at a special meeting of the Board held at 12:35 p.m., on February 24, 2011, pursuant to proper notice, at which meeting a quorum was present and acting throughout.

Given under my hand this 24th day of February, 2011.

Suzan L. Smith, Superintendent and Secretary of Hancock County Board of Education

(West Virginia)

M P 200

OFFICIAL BALLOT HANCOCK COUNTY BOARD OF EDUCATION SCHOOL BOND ELECTION November 2, 2010

Shall the Board of Education of the County of Hancock incur debt and issue than twenty five and one half (25 1/2) years from the date of such bonds, with intesemianntally, for the purpose of acquisition of land, constructing, enlarging, exings, facilities and structures in the Hancock County Public School District to pu	erest not exceeding the rate of six and 75/100 percentending reconstructing improving furnishing and	ent (6.75%) per annum, payable
PROJECT	LOCATION	ESTIMATED COST
A.T. Allison Elementary Construct Physical Education and 3 Pre-K Classrooms. Renovations including without limitation; Site Drainage, Landscaping, Bollards, PlayYards, Paving & Parking; Windows, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, HVAC, Lights, Security Cameras, Restrooms, Electrical, Data Wiring, Fire Sprinklering and Asbestos Abatement.	Existing A.T. Allison Elementary School Chester, West Virginia	Bond Funds \$5,269,112
New Manchester Elementary Construct Physical Education and 3 Pre-K Classrooms. Renovations including without limitation: Site Drainage, Landscaping, Bollards, Play Yards, Paving & Parking, Roofing, Windows & Curtain Wall, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, Elevator, HVAC, Lights, Security Cameras, Restrooms, Electrical, Lighting, Data Wiring, Fire Sprinklering and Asbestos Abatement.	Existing New Manchester Elementary School New Cumberland, West Virginia	Bond Funds \$6,189,232
Oak Glen Middle School Construct Wrestling Building.	Existing Oak Glen Middle School New Cumberland, West Virginia	Bond Funds \$784,675
Oak Glen High School Renovations including without limitation: Science Department and Restrooms. Complete the Field of Dreams, including paved & lighted parking lots, paved & lighted access drives, lighted stairs to OGHS, concession stand, restrooms and maintenance building; in addition to baseball/softball field bleachers, press boxes, PA systems and scoreboards. New Football/Soccer Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Pressbox, Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional cam- pus parking for games.	Existing Oak Glen High School New Cumberland, West Virginia	Bond Funds \$7,768,437
Weir Middle School Renovations including without limitation: Restrooms, Disabled Access Behind MS Auditorium, and MS Auditorium Seating Replacement.	Existing Weir Middle School Weirton, West Virginia	Bond Funds \$669, 669
Weir High School Renovations including without limitation: Exterior Concrete Stairs & Walks, Science Department, Restrooms and HS Auditorium Seating Replacement. New Football/Soccer Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Pressbox, Upgrading of Existing Field Lighting, Scoreboard, Pa/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional campus parking for garnes.	Existing Weir High School Weirton, West Virginia	Bond Funds \$7,330,193
John D. Rockefeller, IV Career Center Renovations including without limitation: Heating, Ventilating and Air Conditioning.	Existing John D. Rockefeller, IV Career Center New Cumberland, West Virginia	Bond Funds \$1,358,900
New Weirton Elementary School Acquisition of land, construction and equipping of New 950-Student PreK-4 Elementary School (includes demolition of Broadview, Liberty & Weirton Heights existing elementary schools).	New Weirton Elementary School To be located in the 3400 block of Pennsylvania Avenue in Weirton, West Virginia	SBA Grant Bond Funds Total \$19,000,000 7,629,782 \$26,629,782
TOTAL PROPOSED BOND CALL:	THIRD PAR	
If the voters of the School District approve the incurring of said debt and the tion of all the taxable property within the School District a levy sufficient to proest accrues semi-annually and the principal of the Bonds at maturity, for which such property for State and County purposes, will be required as follows:	TOTAL PROPOSED Be issuance of said Bonds, the Board will lay ann vide funds for the payment of the annual interest purposes a levy upon each \$100 valuation, base	ually upon the assessed valua-
Upon Class I Property Approxi Upon Class II Property Approxi Upon Class IIP Property Approxi Upon Class IV Property Approxi	mately22.44 cents imately44.88 cents	
In the event the Bond is approved by the voters and the Bonds are issued, the respect to the closure or consolidation of the following schools: Broadwiew Elementary School to be closed; former students to be served by New Bondiew Elementary School to be closed; former students to be served by New Bondiew Elementary School to be closed; former students to be served by New Bondiew Elementary School to be closed; former students to be served by New Bondiew Elementary School to be closed; former students to be served by New Bondiew Elementary School to be closed; former students to be served by New Bondiew Elementary Elementary Elementary Elementary School to be closed; former students to be served by New Bondiew Elementary Element	uirements of West Virginia Code Section 18-15- New Weirton Elementary School. Weirton Elementary School. Yed by New Weirton Elementary School. In the sum of THIRTY-SEVEN MILLION DOLL Jof-way, if any, engineering and architectural costs, ce of the Bonds, interest during the construction of it one of more of the above enumerated projects can dupon completion of any of the foregoing projects in dupon completion of any of the foregoing projects in the remaining projects set out above, as provided by lects the School District having received one or mo ollars (\$19,000,000) for use in the acquisition of le condition precedent to the issuance of the Bonds. It	LARS (\$37,000,000). including but not limited to the Projects, and such other costs, tide I expenditures are subject to the constructed, carried out, or may be allocated by the Hancock Section 6(a), Article I, Chapter re grants from the West Virginia and, the constructing, furnishing the event the Hancock County
Yes (For the Bond Issue.) No (Against the Bond Issue.)		
OTICE TO VOTERS: To vote in favor of the proposition (for the Bond Issue) submitted on reposition (against the Bond Issue), mark an (X) in the box next to "No	this ballot, mark an (X) in the box next to	"Yes." To vote against the

OFFICIAL BALLOT HANCOCK COUNTY TUESDAY, NOVEMBER 2, 2010

--- <u>January</u>

Poll Clerks

State of West Virginia, County of Hancock, to-wit:

I, ELEANOR STRAIGHT, Clerk of the County Commission of Hancock County, having the custody of the files, journals and records of said Commission, do hereby certify that the foregoing is a true and accurate copy of:

"OFFICIAL BALLOT - HANCOCK COUNTY BOARD OF EDUCATION SCHOOL BOND ELECTION HELD ON NOVEMBER 2, 2010"

as it appears of record in my office, and I further certify that it is a true official ballot.

In witness whereof, I have set my hand and affixed the seal of said Commission at New Cumberland, Hancock County, West Virginia, this 15th day of November, 2010.

Eleanor Straight, County Clerk

Hancock County, West Virginia

CERTIFICATE

Certified a true and correct copy of an Order Directing and Election, made and entered of record by The Board of Education of the County of Hancock at a regular meeting thereof duly and properly called and held upon lawful notice to the public and all members thereof on the 12th day of July 2010, at New Cumberland, Hancock County, West Virginia, a quorum of said members being present at said meeting and acting throughout the same. Such order is in full force and effect.

Given under my hand this 10th day of March 2011.

Bv:

Superintendent and Secretary of The Board Of Education of the County of Hancock

HANCOCK COUNTY BOARD OF EDUCATION

July 12, 2010

The Hancock County Board of Education met in special session on Monday, July 12, 2010, in the Board Room, New Cumberland, commencing at 6:00 p.m. Board Members present: Patsy Brancazio, Laura Greathouse, Toni Hinerman John Manypenny, and Jerry Durante, President.

The purpose of this meeting: Bond Call/Business.

INFORMATION

1. Edward McDevitt from Bowles Rice, Bond Council and Marie Prezioso from Raymond James Associates, Inc., Financial Advisors will be presenting information for the upcoming Bond Call.

Mr. McDevitt and Ms. Perzioso presented the information regarding the upcoming Bond Call to the Board.

RECOMMENDATIONS OF THE SUPERINTENDENT

A. MISCELLANEOUS

1. APPROVAL OF LEVY ORDER

It is recommended that the Board approve the levy order in the amount of \$37,000,000.00 to be placed before the voters at the general election to be held on November 2, 2010.

Miss Smith presented item 1 and recommended approval.

Patsy Brancazio moved and was supported by Laura Greathouse that item 1 be approved.

Motion Carried: Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President...

B. <u>PERSONNEL</u>

1. TRANSFERS -- CERTIFIED

It is recommended that the following transfers be approved, effective the 2010-11 school year:

<u>Name</u>

From

To

Michalene Mills

Teacher (Grade 1)

Teacher (Grade 3)

Weirton Heights Elem.

Liberty Elementary

Cinthia Virtue

Assistant Principal

Assistant Principal

Allison Elementary

Oak Glen Middle

210 days

220 days

2. <u>REMOVAL FROM TRANSFER LIST</u>

It is recommended that the following be removed from the transfer list and reassigned for the 2010-11 school year:

Name

Position

Neil Randolph

Teacher (Music-Band/General)

Oak Glen Middle School

Miss Smith presented items 1 & 2 and recommended approval.

John Manypenny moved and was supported by Toni Hinerman that items 1 & 2 be approved.

Motion Carried: Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President..

With no further business before the board Mr. Durante declared the meeting adjourned.

The meeting adjourned at 6:35 p.m.

Gerald Durante, President

Suzan L. Smith, Secretary

CERTIFICATE

Certified a true and correct copy of a Resolution and Order Directing Issuance of Bonds, made and entered of record by The Board of Education of the County of Hancock at a regular meeting thereof duly and properly called and held upon lawful notice to the public and all members thereof on the 29th day of November 2010, at New Cumberland, Hancock County, West Virginia, a quorum of said members being present at said meeting and acting throughout the same. Such order is in full force and effect.

Given under my hand this 10th day of March 2010.

By

Superintendent and Secretary of The Board Of Education of the County of Hancock

HANCOCK COUNTY BOARD OF EDUCATION

November 29, 2010

The Hancock County Board of Education met in special session on Monday, November 29, 2010, in the Board Room, New Cumberland, commencing at 6:30 p.m. Board members present: Patsy Brancazio, Laura Greathouse, Toni Hinerman, John Manypenny, and Jerry Durante, President.

The purpose of this meeting: Personnel/Business.

John Manypenny moved and was supported by Toni Hinerman that the meeting convene in executive session for a hearing concerning an employee suspension/contract adjustment. Patsy Brancazio excused himself from participation in the executive session.

Motion Carried: Greathouse, Hinerman, Manypenny, and Durante, President.

The Board convened in executive session.

Following the hearing in executive session concerning the employee's suspension, TX1812, John Manypenny moved and was supported by Toni Hinerman that the special meeting be reconvened.

Motion Carried: Greathouse, Hinerman, Manypenny, and Durante, President.

The Board reconvened in special session at 7:30 p.m. All board members were present.

RECOMMENDATIONS OF THE SUPERINTENDENT

1. CONTRACT ADJUSTMENT -- CLASSIFIED

Suzan Smith recommended that the following employee's suspension be approved, effective the 2010-11 school year (November 30, December 1, and 2), due to disciplinary reasons, and that the contract be adjusted from 200 to 197 days:

TX1812

John Manypenny moved and was supported by Toni Hinerman that the superintendent's recommendation of the employee's suspension be approved.

Motion Carried. Greathouse, Hinerman, Manypenny, and Durante, President. Patsy Brancazio abstained from voting.

A. PERSONNEL

1. RESIGNATION -- COACHING -- CERTIFIED

It was recommended that the following coaching resignation be approved, effective 11/22/10, due to personal reasons:

WEIR HIGH SCHOOL

Boys' Basketball Assistant

Randy Shaffer

2. REQUEST FOR FMLA (UNPAID MEDICAL LEAVE) -- CERTIFIED

It was recommended that the following FMLA unpaid medical leave of absence be approved, effective November 19, 2010, thru January 2, 2011 (returning to work on Monday, January 3, 2011):

Name Position Location

Tim Smith Custodian Weirton Heights Elementary

Toni Hinerman moved and was supported by Laura Greathouse that Items 1 and 2 be approved as recommended by the superintendent.

Motion Carried: Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President.

B. MISCELLANEOUS

1. It was recommended that Item #1 only under New Business of the board meeting on 11/22/10 be rescinded (the Hancock County Board of Education approve the resolution and order directing the issuance of bonds).

John Manypenny moved and was supported by Patsy Brancazio that Item 1 of miscellaneous be approved as recommended by the superintendent.

Motion Carried. Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President.

- 2. Consideration for adoption of a Resolution and Order Directing Issuance of Bonds, providing for the issuance of \$37,000,000 Public School Bonds, Series 2011, of the Board of Education of the County of Hancock.
- 3. To consider and act upon any measures related to the foregoing.

It was recommended that Items 2 and 3 be approved as presented.

Patsy Brancazio moved and was supported by Laura Greathouse that Items 2 and 3 of miscellaneous be approved as presented.

Motion Carried: Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President.

4. It was recommended that the AIA Document B141/CMA - 1992 Addendum for McKinley & Associates be approved to be added to the open-ended agreement made on June 13, 2008.

Toni Hinerman moved and was supported by Laura Greathouse that Item 4 of miscellaneous be placed on an agenda for consideration at a future meeting of the Board.

Motion Carried: Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President.

NEW BUSINESS

1. The following wetlands delineation proposals for the property at the new Weirton Elementary School site were received. It was recommended that the proposal indicated by the asterisk (*) be approved.

Proposing Firm	Proposed Cost	Proposed Completion Time
CTL PSI* Triad	\$6,082 (see below) \$6,100 \$6,705	2 weeks 3 weeks 6 weeks

CTL proposal does not include costs for required surveying services, as requested in RFP.

John Manypenny moved and was supported by Toni Hinerman that Item 1 be approved.

Motion Carried: Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President.

2. The following bond work soils investigation and assessment proposals for A. T. Allison Elementary School, New Manchester Elementary School, Oak Glen Middle School, Oak Glen High School, and Weir High School were received. It was recommended that the proposals indicated by the asterisk (*) be approved:

Proposing Firm	Proposed Cost	Proposed Completion Time		
CTL	\$33,087	4 weeks		
PSI*	\$27,880	6 to 7 weeks		
Triad	\$43,872.60	6 to 8 weeks		

Patsy Brancazio moved and was supported by Laura Greathouse that Item 2 be approved.

Motion Carried: Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President.

3. The following surveying proposals for A. T. Allison Elementary School, New Manchester Elementary School, Oak Glen Middle School, Oak Glen High School, and Weir High School were received. It was recommended that the proposals indicated by the asterisk (*) be approved:

Proposing Firm	Proposed Cost	Proposed Completion Time
CTL Stegman & Schellhase, Inc.* Triad	\$79,800 \$23,400 \$36,421.50	No timeline provided 6 weeks 14 weeks (MKA estimate)

Toni Hinerman moved and supported by Laura Greathouse that Item 3 of miscellaneous be approved.

Motion Carried. Brancazio, Greathouse, Hinerman, Manypenny, and Durante, President.

With no further business before the Board, Mr. Durante declared the meeting adjourned.

The meeting adjourned at 8:45 p.m.

Gerald Durante, President

Suzan L. Smith, Secretary

PRELIMINARY OFFICIAL STATEMENT DATED FEBRUARY 10, 2011

NEW ISSUE BOOK-ENTRY ONLY Rating: Standard & Poor's (See "Rating" herein)

In the opinion of Bond Counsel, under existing laws, regulations, published rulings and judicial decisions of the United States of America, as presently written and applied, interest on the Series 2011 Bonds is excludable from gross income of the owners thereof for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, upon the conditions and subject to the limitations set forth under the caption "TAX MATTERS" herein. In the opinion of Bond Counsel, under existing laws of the State of West Virginia, the Series 2011 Bonds are exempt from all taxation by the State of West Virginia or any political subdivision thereof. See "TAX MATTERS" herein

\$37,000,000 The Board of Education of the

County of Hancock (West Virginia)
Public School Bonds, Series 2011

Dated: Date of Delivery

Due: May 1, as shown below

The Board of Education of the County of Hancock (West Virginia), Public School Bonds, Series 2011 (the "Series 2011 Bonds") are general obligations of The Board of Education of the County of Hancock, West Virginia (the "Board"), which Board has the power and is obligated to levy ad valorem taxes upon all the taxable property within the Hancock County School District to pay the Series 2011Bonds and the interest thereon, without limitation as to rate or amount.

The Series 2011 Bonds will be issued in fully registered form only, without coupons, and, when issued will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository of the Series 2011 Bonds. Individual purchases will be made in book-entry form only in the principal amount of \$5,000 or integral multiples thereof. Purchasers of the Series 2011 Bonds will not receive certificates representing their interests in the Series 2011 Bonds.

Pursuant to Chapter 13, Article 1 of the Code of West Virginia, 1931, as amended, both the principal of and interest on the Series 2011 Bonds are payable at the office of the West Virginia Municipal Bond Commission, Charleston, West Virginia, as Paying Agent. The Board has designated WesBanco Bank, Inc., Wheeling, West Virginia, as Registrar.

Interest on the Series 2011 Bonds will be payable on November 1, 2011 and semiannually thereafter (each May 1 and November 1) in each year until maturity. The principal of and interest on the Series 2011 Bonds are payable by the Paying Agent to DTC, which will in turn remit such principal and interest to its Participants for subsequent distribution to the Beneficial Owners of the Series 2011 Bonds, as described herein.

The Series 2011 Bonds are subject to redemption prior to maturity as described herein.

MATURITIES, AMOUNTS, RATES, YIELDS AND CUSIPS

Maturing (May 1)	Principal Amount (\$)	Interest Rate (%)	Yield (%)	CUSIP Base #:	Maturing (May 1)	Principal Amount (\$)	Interest Rate (%)	Yield (%)	CUSIP Base #:
2012	595,000				2025	1,480,000			
-2013	865,000				2026	1,545,000			
2014	900,000			980an (185-217) ya Tanaka	2027	1,620,000			
2015	945,000				2028	1,695,000			
2016	985,000	enconomica di tamana	i i distanti di salah	in Maria a seria de la 1977 de medi	2029	1,770,000	namento de la compania de la compania		
2017	1,030,000		LALE SHEET		2030	-1,850,000			
2018	1,080,000	THE RESIDENCE OF THE PARTY OF T	a unalkana peri anda a sin masa a saara		2031	1,935,000			
2010	1;130,000		West 1	Lancation of	2032	2,025,000			
2020	1,180,000	TANDERS VICENTAL AND THE			2033	2,120,000			
2021	1,235,000				2034	2,215,000		10000	
2022	1,290,000				2035	2,320,000			
2023	1,350,000				2036	2,425,000			
2024	1,415,000								

The Series 2011 Bonds are offered for delivery when, as and if issued, subject to approval of legality by Bowles Rice McDavid Graff & Love LLP, Charleston, West Virginia, Bond Counsel. Certain legal matters will be passed upon for the Board by Bowles Rice McDavid Graff & Love LLP, Morgantown, West Virginia, Counsel to the Board. It is expected that the Series 2011 Bonds will be available for delivery to DTC, New York, New York on or about March 10, 2011.

Sale Date: February 24, 2011

^{*}See inside cover for footnote

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

ELECTED OFFICIALS

Jerry Durante, President Patsy Brancazio, Board Member Laura Greathouse, Board Member Toni Hinerman, Board Member John Manypenny, Board Member

APPOINTED OFFICIALS

Suzan Smith, Superintendent Wayne Neely, Assistant Superintendent Joseph Campinelli, Treasurer

BOARD'S COUNSEL

Bowles Rice McDavid Graff & Love LLP Morgantown, West Virginia

BOND COUNSEL

Bowles Rice McDavid Graff & Love LLP Charleston, West Virginia

FINANCIAL ADVISOR

Raymond James & Associates, Inc. Charleston, West Virginia

*CUSIP numbers have been assigned by an independent company not affiliated with the Board and are included on this cover page solely for the convenience of the Owners of the Series 2011 Bonds only at the time of issuance of the Series 2011 Bonds. Neither the Underwriters nor the Board makes any representation with respect to the accuracy of such CUSIP numbers as indicated in the above table or undertakes any responsibility for the selection of the CUSIP numbers or their accuracy now or at any time in the future. The CUSIP number for a specific maturity is subject to being changed after the issuance of the Series 2011 Bonds.

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No dealer, broker, salesman or other person has been authorized by The Board of Education of the County of Hancock, West Virginia, to give any information or to make any representations other than as contained in this Official Statement, and, if given or made, such other information or representations must not be relied upon as having been authorized by the Board. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor there any sale of the Series 2011 Bonds herein described by any persons in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein has been obtained by the Board from sources which are believed to be reliable, but it is not guaranteed as to accuracy or completeness. The information and expressions of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Board since the date hereof.

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OFFICIAL STATEMENT RELATING TO

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

INTRODUCTION

This Official Statement provides certain information in connection with the sale of \$37,000,000 in aggregate principal amount of The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011 (the "Series 2011 Bonds"). A brief description of The Board of Education of the County of Hancock, West Virginia (the "Board"), the Hancock County School District (the "School District") and the County of Hancock, West Virginia (the "County" or "Hancock County"), with which the School District is coterminous, is provided, together with a description of the Series 2011 Bonds and sources of payment therefor.

The Series 2011 Bonds are general obligations of the Board, and, unless paid from other sources, are payable from ad valorem taxes levied upon all taxable property within the School District, without limitation as to rate or amount.

The Board has no other outstanding Public School General Obligation Bonds.

THE SERIES 2011 BONDS

General

The Series 2011 Bonds will be dated the date of delivery, will be issued as fully registered bonds in \$5,000 denominations or integral multiples thereof, and are payable on May 1, in the years and amounts as follows:

Maturing (May 1)	Principal Amount (\$)	Maturing (May 1)	Principal Amount (\$)
2012	595,000	2025	1,480,000
2013	865,000	2026	1,545,000
2013	900,000	2027 etc. s	1,620,000
2015	945,000	2028	1,695,000
2016	985,000	2029	1,770,000
2017	1,030,000	2030	1,850,000
2018	1,080,000	2031,	1,935,000
2019	1,130,000	2032	2,025,000
2020	1.180,000	2033	2,120.000
2021	1,235,000	2034	2,215,000
2022	1,290,000	2035	2,820,000
2023	1,350,000	2036	2,425,000
2024	1,415,000		

Pursuant to Chapter 13, Article 1 of the Code of West Virginia, 1931, as amended (the "Act"), both the principal of and interest on the Series 2011 Bonds are payable at the office of the West Virginia Municipal Bond Commission, Charleston, West Virginia, as its Paying Agent (the "Paying Agent"). The Board has designated WesBanco Bank, Inc., Wheeling, West Virginia, as the Registrar.

Interest on the Series 2011 Bonds will be payable on November 1, 2011 and semi-annually thereafter (each May 1 and November 1) in each year until maturity. Such interest will be paid by check to the registered owner on each such interest payment date at his address as shown on the registration books kept for that purpose by the Paying Agent as of the 15th day of the month preceding each such interest payment date. In the case of an owner of \$500,000 or more of the Series 2011 Bonds, interest may be paid to such owner by wire transfer to a domestic bank account specified in writing to the Paying Agent at least five days prior to an interest payment date.

Optional Redemption

The Series 2011 Bonds maturing on or after May 1, 2022, are subject to redemption on or after May 1, 2021, at the option of the Board, in whole at any time or in part on any interest payment date, from any moneys available for such purpose, at par plus interest, if any, accrued to the date fixed for redemption.

In the event of such optional redemption, the Board may direct the maturity or maturities of the Series 2011 Bonds and the amounts thereof to be redeemed, provided that the Series 2011 Bonds will be redeemed in whole multiples of \$5,000 in principal amount and in the minimum principal amount of \$50,000.

Notice of any redemption of Series 2011 Bonds shall be given by the Registrar, on behalf of the Board, to registered owners of the Series 2011 Bonds to be redeemed at least thirty (30) and not more than sixty (60) days prior to the date fixed for redemption, by registered or certified mail, at the address appearing in the Bond Register or at such other address as is furnished in writing by the registered owner to the Registrar. Failure to receive such notice or any defect therein or in the mailing thereof shall not affect the validity of any proceedings for the redemption of the Series 2011 Bonds and failure to mail such notice shall not affect the validity of any such proceedings for any Bond with respect to which no such failure has occurred. Notice of redemption having been given in the manner described herein, and moneys necessary for their redemption of the Series 2011 Bonds having been deposited, the Series 2011 Bonds specified in such notice shall, on the date fixed for redemption, become due and payable and from and after such date (unless the Board shall default in the payment of the redemption price), such Series 2011 Bonds shall cease to bear interest.

Optional Term Bonds

Bidders have the option of specifying that the principal amount of the Series 2011 Bonds payable in any two or more consecutive years may, in lieu of maturing in each of such years, be combined into a term bond to mature in the final year of such consecutive serial maturities and be subject to mandatory sinking fund redemption at par in the amounts and in the years as shown in the maturity schedule set forth on the cover page of the Preliminary Official Statement and in the Official Notice of Sale.

Authority and Purpose

Purpose

To provide funds for making certain improvements in the School District as described in "Proposed Projects" in Appendix D.

Authority

The issuance of the Series 2011 Bonds and the levy of taxes sufficient to pay the interest on the principal of such Series 2011 Bonds were authorized and approved at the countywide general election held on November 2, 2010, pursuant to the Act, and to orders and resolutions duly entered and adopted by the Board. The ballot questions also included a maximum term of 25 ½ years from the date of issuance of the Series 2011 Bonds and an interest rate not exceeding 6 ¾% per annum. The canvass of said special election showed 5,214 "Yes" votes and 5,010"No" votes, 51.00% voter approval of those who participated.

In accordance with Article X, Sections 8 and 10, of the Constitution of the State of West Virginia (Section 10 is referred to as the "Better Schools Amendment") and the Act, county boards of education may, with the consent of at least a simple majority of the voters voting at an election on such questions, issue bonds for specified purposes in an amount which, when added to the aggregate indebtedness then outstanding, will not exceed 5% of the most recent assessed valuation of taxable property in the school district. Article X, Section 8, of the Constitution, and Sections 20 and 34 of the Act, require the annual levy and collection of a tax sufficient to pay the principal of and interest on such bonds.

Nature of Obligation, Security and Source of Payments

The Series 2011 Bonds will constitute valid and legally binding general obligations of the Board, and, unless paid from other sources, the principal of and interest on the Series 2011 Bonds will be payable from ad valorem taxes levied upon all taxable property within the School District, without limitation as to rate or amount. Pursuant to the Better Schools Amendment, the tax levy required to pay the principal of and interest on such bonds is laid separate and apart and in addition to the maximum levy rates otherwise authorized by law.

Debt Administration

Pursuant to Chapter 13, Article 3 of the Code of West Virginia, the West Virginia Municipal Bond Commission (the "Bond Commission") shall serve as fiscal agent for all issuers of general obligation bonds issued by counties, municipalities, and school districts of the State and is charged with the administration of the interest and sinking funds created to service the debt. The proceeds of taxes levied for debt service by the Board are collected by the Sheriff, who remits the proceeds to the Board Treasurer, who forwards the proceeds thereof to the Bond Commission. The Bond Commission is required by law to render annually to each political subdivision having outstanding bonds a statement showing the levy required to pay the interest on and create a sinking fund for the retirement of the outstanding bonds. The Bond Commission customarily sets the levy rates at 110% of the annual principal and interest required so as to provide a margin to cover the statutory 2 1/2% discount for early payment of taxes and any attrition occasioned by delinquencies, improper assessments and exonerations. There has not been a default on the payment of principal or interest of any general obligation bond in the State of West Virginia since the Bond Commission commenced centralized supervision and administration in 1921.

Since 1933, the annual State of West Virginia Budget Bill has embodied a protective provision for certain State agency and taxing district obligations, if deficiencies should arise. The following excerpt from the 2010 Budget Bill is indicative:

[Section 14]: There is hereby appropriated to the governor a sufficient amount to meet any deficiencies that may arise in the mortgage finance bond insurance fund of the West Virginia housing development fund which is under the supervision and control of the state municipal bond commission as provided by Chapter 31, Article 18, Section 20-b, of the code of West Virginia, or in the funds of the state municipal bond commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund requirements. The Governor is authorized to transfer from time to time such amounts to the state municipal bond commission as may be necessary for these purposes.

No representation is made that subsequent Budget Bills will have such provisions or that sufficient funds will be available to satisfy any such deficiencies. There has never been a default in payment of the principal of or interest on any general obligation bonds issued by The Board of Education of the County of Hancock. The enforceability of rights or remedies with respect to the Series 2011 Bonds may be limited by bankruptcy, insolvency or other laws affecting creditors' rights or remedies heretofore or hereafter enacted.

HANCOCK COUNTY SCHOOL DISTRICT

General

All school districts in West Virginia are organized under the terms of legislation enacted in 1933. There is one school district in each county, the boundaries of which district are coterminous with those of the county. The Board is responsible for and is vested with the supervision and control of the School District and with the control and management of all public schools in the School District from kindergarten through the secondary school level. The Board is composed of five members elected by the voters of the County without reference to political party affiliation. The terms of the members are for four years and are staggered. In 2012, the terms of two members will expire. The process will be repeated every two years thereafter.

Board Members' duties are established by State statute with the West Virginia Board of Education having regulatory powers. The Board appoints a superintendent who acts as the chief executive officer and secretary of the Board and who administers affairs of the School District in accordance with applicable laws, regulations, and local policies. The Board is a public corporation and as such may sue, plead and be impleaded, and enter into contracts. The School District is fiscally independent of the County and all other political subdivisions.

During the fiscal year 2010-2011, the Hancock County school system has an administrative staff of 10 with the overall responsibility to coordinate and supervise the activities of 18 school administrators, 346.5 instructional staff (teachers and other professionals), and 195.25 service personnel. Total Full Time Equivalent positions are 541.75. The estimated pupil-teacher ratio for the 2010-2011 school year was 14.56 to 1 (combined elementary, middle and secondary schools). The total student enrollment (head count) was 4,316 students K-12.

Grades	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-1011
PK-EC	90	118	121	172	198	200
K	348	347	354	332	342	343
1	313	306	322	330	323	336
2	301	303	310	315	336	319
3	265	295	308	312	309	332
4	355	259	293	315	310	322
5	313	363	280	295	309	319
6	315	310	356	280	312	301
7	309	333	307	362	276	315
8	327	309	347	322	361	294
9	426	343	359	383	381	390
10	324	397	324	292	318	312
11	312	302	351	287	260	278
12	<u>300</u>	<u>307</u>	<u>273</u>	<u>331</u>	<u>278</u>	<u>255</u>
Total	4,298	4,292	4,305	4,328	4,313	4,316

Rate of Increase (Decrease) in Enrollment				
2005-2010	0.42%			
Average Annual	0.08%			

Source: Hancock County Board of Education

Projected Enrollment (School Year)

Year (October)	Enrollment
2011	4,257
2012	4,329
2013	4,297
2014	4,269
2015	4,210

Source: Hancock County Board of Education

Facilities

School	Grades	Type of Construction	Date of Construction	Renovations or Additions
A.T. Allison Elementary	K-4	Load Bearing Masonry	1963	1984
Broadview Elementary	PK-4	Load Bearing Masonry	1954	1956; 1987
Liberty Elementary	K-4	Load Bearing Masonry	1939	1988
New Monchester Elementary	PK-4	Load Bearing Masonry	1960	1988
Weirton Height Elementary	K-4	Load Bearing Masonry	1925	1927;1938;1955;1984
Oak Glen Middle School	5-8	Load Bearing Masonry	2005	None
Weir Middle School	5-8	Load Bearing Masonry	1963	1989; 2010
Oak Glen High School	9-12	Load Bearing Masonry	1963	1985; 1991; 2005
Weir High School	9-12	Load Bearing Masonry	1963	1984; 1991; 2010
J.D. Rockefeller IV Career Center	Vocation:	al Load Bearing Masonry al	1981	1992

Source: Hancock County Board of Education

Tax Collection Procedures

All taxes for real estate and personal property are collected by the Hancock County Sheriff (the "Sheriff") and are remitted by him to the State and other local levying bodies. Public utility taxes are collected directly by the State Auditor (the "Auditor") and are remitted by him to the Sheriff for distribution. Tax statements are mailed by the Sheriff's office in July, and they may be paid in two installments. The first half of the tax is subject to a 2 ½% discount if paid by September; thereafter, the amount payable is net until October 1, after which a 9% penalty is added. Likewise, the second half is subject to a 2 ½% discount if paid by March 1, net to April 1, and 9% penalty thereafter. The Sheriff, after ascertaining which taxes are delinquent, shall on or before May 1 next succeeding the year for which taxes are assessed, prepare delinquent lists, which shall be posted at the front door of the courthouse and published as a legal advertisement at least two weeks prior to the presentation to the County Commission for examination. After examination and correction, the Commissioners shall certify such lists pertaining to real property to the Auditor not later than July 1. On or before September 10, the Sheriff shall prepare a second list of delinquent taxes, as of September 1, together with a notice of sale for properties upon which such taxes are due. If not redeemed before, such properties shall be sold at public auction at the courthouse on any Monday after October 14, and before November 23. No such sale shall be made for any

sum less than the total amount of taxes, interest charges then due. The former owner of any real or personal property so purchased by the State, or any other person who is entitled to pay the taxes thereon, may redeem such real or personal property from the Auditor at any time within the eighteen months after the date of such purchase. The Auditor reports monthly to the Sheriff, the County Assessor and the Clerk of the County Commission all properties in the County which were redeemed in his office during the preceding month. The Auditor, each month, draws his warrant upon the State treasury payable to the Sheriff of the County for that part of the taxes, interest and charges received by him upon the redemption of the property included in his report which was owing to any of the taxing units in the County. The Sheriff accounts for and pays over such money as if it had been paid to him before sale and redemption.

Tax Levies and Collections*

Year	Projected Gross Tax (\$) at 100%	Projected Net Tax Collected (S) at 92-93% Less Assessors Fee	Actual Collected (\$)	Actual Collected (%)
2004-2005			(Φ)	(70)
General Current	5,691,734	5,236,395	5,702,645	100.2%
Excess Levy	5,738,980	5,279,862	5,772,433	100.6%
2005-2006	,	· , · · , · · · ·	0,772,100	100.070
General Current	5,826,477	5,360,359	5,926,603	101.7%
Excess Levy	5,874,843	5,404,856	6,019,373	102.5%
2006-2007		,,	0,017,575	102.570
General Current	6,106,135	5,617,644	6,166,607	101.0%
Excess Levy	6,288,863	5,785,754	6,382,274	101.5%
2007-2008		, ,	0,502,27	101.570
General Current	5,964,087	5,486,960	6,070,344	101.8%
Excess Levy	6,348,374	5,840,504	6,490,826	102.2%
2008-2009		, , ,	0,120,020	102.270
General Current	5,793,067	5,329,622	5,872,178	101.4%
Excess Levy	6,166,332	5,673,025	6,314,674	102.4%
2009-2010		• • •	-, 1,0 / 1	102.170
General Current	6,010,013	5,529,212	5,994,282	99.7%
Excess Levy	7,109,784	6,541,001	7,181,158	101.0%

^{*}Source: Hancock County Board of Education

Assessment Procedure

State statutes provide that all property must annually be assessed as of the first day of July. Assessment on this day is the basis for the following year's property taxes. The assessor must complete his compilation of the land and personal property books not later than January 30. The county commission, not later than February 1, must meet for the purpose of sitting as a board of equalization and review of such assessment books. After completion of the review and assessment the commission certifies and returns the property books to the assessor. Appeal of any assessment may be made to the circuit court of the county within 30 days after adjournment of the county commission sitting as a board of equalization and review. The assessor annually, not later than March 3, must furnish a certified statement to certain government bodies in the county, including the board of education, showing the aggregate value of all real and personal property. During the month of March the county commissions, the county boards of education and municipal governments prepare their budgets for the fiscal year which begins the following July. After these budgets are approved, these governments officially set the tax rate for the coming year sufficient to pay budgeted expenses not expected to be paid from other sources. For example, the 2010 assessment year valuations are made as of July 1, 2009, with taxes levied and collected during the fiscal year July 1, 2010, through June 30, 2011.

The State Tax Commissioner has the responsibility for preparing tentative valuations for all public utility property in the State and providing these valuations to the Board of Public Works of the State for actual assessment of such property. The Board of Public Works reviews all assessments made, makes such corrections as it deems proper, conducts hearings to entertain protests from the public utilities involved, and fixes the assessments in final form. After such assessments are made, they are allocated by the State Auditor to the various counties in which the utility property is located, such allocation being approved by the Board of Public Works.

Property Classification

Article X, Section 1, of the Constitution of West Virginia and Chapter 11, Article 8, Section 5 of the Code of West Virginia of 1931, as amended, created four classifications of property for which the tax rates, but not the assessed values, are limited. These tax classifications are as follows: Class I - all tangible personal property employed exclusively in agriculture, all products of agriculture while owned by the producer; Class II - owner-occupied residential property and certain farm lands; Article 10, Section 1b of the Constitution of the State of West Virginia and Chapter 11, Article 6B, Section 3 of the West Virginia Code of 1931, as amended, provides that the first twenty thousand dollars of assessed valuation of any real property, or of personal property in the form of a mobile home, used exclusively for residential purposes and occupied by the owner or one of the owners thereof as his residence, who is a citizen of the State and is sixty-five years of age or older or is certified as being permanently disabled, shall be exempt from ad valorem property taxation. Only one exemption shall be allowed for each homestead used and occupied exclusively for residential purposes by the owner thereof, regardless of the number of qualified owners residing therein; Class III - all real and personal property, other than Class I and II property, situate outside of municipalities; Class IV - all real, and personal property, other than Class I and II situate within municipalities. Public utility property falls within Class III or Class IV, as appropriate.

Assessed Valuations

The Hancock County School District includes all of Hancock County and has the same assessed valuation of property therein as does the entire county. Chapter 11, Article 1C of the West Virginia Code (the "Property Valuation Act") requires all assessors to appraise all property at fair market value (except for certain farm property), within three years. The State Tax Commissioner is required to monitor the assessors in the performance of their duties, and is required to perform the valuation process on industrial and natural resources property within the aforesaid three year period. The Property Valuation Act limits the increase in property taxes that could result from the new calculations to one percent per year, unless, in the case of school boards, the legislature, after a public hearing, deems a greater increase is necessary. The Property Valuation Act requires that all property except farms and managed timberlands be assessed at 60% of Fair Market Value at the end of the 3 year reappraisal cycle, which became effective July 1, 1994.

Assessed Valuation By Property Class*

		2007-2008	2008-2009	2009-2010	2010-2011
Class	2006-2007	2007-2008	2000-2009		0
ĭ	14,302	8,962	0	U	•
<u>.</u>	/	352,567,638	351,468,280	354,673,830	353,058,280
\mathbf{II}	351,601,997	•	•	242 616 505	349,967,825
Ш	292,358,954	306,704,348	308,567,227	343,616,585	•
		285,577,554	262,227,929	253,532,707	<u>247,574,024</u>
<u>IV</u>	<u>293,199,935</u>	203,311,334		051 922 122	950,600,129
Total	937,175,188	944,858,502	922,263,436	951,823,122	950,000,125
1 Otta	· · · · ·				

Assessed Valuation By Property Category*

	2006 2007	2007-2008	2008-2009	2009-2010	2010-2011
Category	2006-2007	-1007	2000 2011	563,531,740	561,678,320
Real	570,943,290	572,628,790	575,042,210	• •	· I
Damanal	321,877,438	327,070,071	301,620,273	328,146,477	318,928,933
Personal	,		45,600,953	60,144,905	69,992,876
Public Utility	<u>44,354,460</u>	<u>45,159,641</u>			
Total	937,175,188	944,858,502	922,263,436	951,823,122	950,600,129
Iotai	757,270,200		<u></u>		1 1 1

^{*}Excludes property from ad valorem property taxation pursuant to the Homestead and Taxation Amendment. The amount of Class II property so excluded amounted to:

uiiiouiii oz oz	1 1				1 2010 2011
72 250 252	in 2006-2007	72,410,894	in 2008-2009	72,135,920	in 2010-2011
72,250,352		, ,	in 2009-2010		
71 820 856	in 2007-2008	72,172,850	111 2009-2010		

Source: State Tax Department

Largest Assessed Valuations (2010)*

Property Owner	Assessed Valuation (\$)
Mountaineer Park Inc	\$73,160,952
Ergon Inc	\$60,986,831
Arcelormittal	\$60,634,456
Linde Inc	\$25,030,325
Homer Laughlin Inc	\$21,985,451
Bellofram	\$7,153,706
National Church Supply	\$4,308,534
Automatic Timing and Controls	\$3,232,790
AL Solutions	\$2,317,407
Newchem Inc	\$1,926,821

^{*}The assessed valuations include real and personal property in Class III or IV. Non-Taxable Property was not included in this chart. Source: Hancock County Assessor

Tax Rate Comparisons*

The following shows Hancock County property taxes in cents per \$100 assessed valuation (this includes all state, county and school rates, in comparison with a few select surrounding counties, for tax year 2010; Fiscal Year 2010-2011.

County	Class I	Class II	Class III/IV
Hancock	58.82	117.64	235.28
Brooke	66.99	133.98	267.96
Marshall	59.74	119.48	238.96
Ohio	56.75	113.50	227.00

^{*}Includes the total levy for State, County and schools in each County.

Source: West Virginia State Auditor

County Tax Rates

Except as hereinafter stated, the maximum tax rates allowed by the Constitution of West Virginia for the four classifications of property are as follows: Class I - \$.50 per \$100 assessed valuation; Class II - \$1.00 per \$100 assessed valuation; Class III - \$1.50 per \$100 assessed valuation; Class IV - \$2.00 per \$100 assessed valuation.

The maximum tax rates described above are divided among the several levying bodies by statute. Under Chapter 11, Article 8 of the Code of West Virginia of 1931, as amended, the maximum levy rates available to the County without approval by the voters is as follows: Class I - 14.3 cents per \$100 assessed valuation; Class II - 28.6 cents per \$100 assessed valuation; Class III - 57.2 cents per \$100 assessed valuation.

These rates of levy may not be exceeded except that a local levying body may provide for an election to increase such rates within the respective taxing unit at either a general or special election. If at least 60% of the voters voting in the election cast their ballots in favor, property tax levy rates may be increased by up to 50% by municipalities and counties. If at least 50% of the voters voting in the election cast their ballots in favor, property tax levy rates may be increased by up to 100% by boards of education. The increased levies may not continue for more than five years without resubmission to the voters.

School Tax Rates (Source: West Virginia State Auditor)

Taxes for school purposes are uniform throughout the County. In accordance with Chapter 11, Article 8, Section 6c of the Code of West Virginia of 1931, as amended, the tax limit for school current expenses and school permanent improvement purposes combined is \$0.2295 per \$100 assessed valuation in respect to Class I, \$0.4590 per \$100 in respect to Class II, and \$0.9180 per \$100 in respect to Classes III and IV. By favorable vote of at least a simple majority of the voters in an election, the above limitations may be increased by up to 100% for a period of five years, after which an election must again be held. Further, a county board of education is required to levy outside the rates provided by Chapter 11, Article 8, Section 6c, sufficient to pay the principal and interest requirements on bonds issued by the school district not exceeding five percent of the assessed value of all taxable property in the school district, in the manner provided by the Better Schools Amendment.

School Current Levy

2006 2007	2007-2008	2008-2009	2009-2010	2010-2011
2000-2007		10.40	19 40	19.40
20.05	19.40	19.40		20.00
40.10	38.80	38.80	38.80	38.80
40.10		<i>aa</i> (0	77.60	77.60
80.20	77.60	//.60		
	40.10	20.05 19.40 40.10 38.80	20.05 19.40 19.40 40.10 38.80 38.80	2006-2007 2007-2008 2008-2008 20.05 19.40 19.40 19.40 40.10 38.80 38.80 38.80

School Excess Levy

					2212 2011
	2006 2007	2007-2008	2008-2009	2009-2010	2010-2011
Class	2006-2007		20.65	22.95	22.95
I	20.65	20.65	20.03		45.00
_	41.20	41.30	41.30	45.90	45.90
Ш	41.30		00.60	91.80	91.80
III and IV	82.60	82.60	82.60	71.00	
III and IV	82.60	82.60	82.60	91.80	

Rates of Levy

The tax rates for citizens of the County, including those imposed by the Hancock County Board of Education, but not including those relating to the proposed bond issue, in cents per \$100 assessed valuation for the 2010-2011 fiscal year, are as follows:

T T-ma	Class I	Class II	Class III/IV
Гах Туре	.25	.50	1.00
State Current	14.30	28.60	57.20
County Current		3.84	7.68
County Excess	1.92		77.60
School Current	19.40	38.80	
School Excess	22.95	45.90	91.80

In addition to the rates of levy established for State, County and School purposes, the municipalities within the County have additional rates of levy in effect as shown in the following table, in cents per \$100 assessed valuation for the 2010-2011 fiscal year.

Class I	Class II	Class IV
12.48	24.96	49.92
18.75	37.50	75.00
12.50	25.00	50.00
	12.48 18.75	12.48 24.96 18.75 37.50

Source: West Virginia State Auditor

As heretofore stated, under Article X, Sections 8 and 10 of the Constitution of the State of West Virginia and the Act, the Board may issue bonds for certain purposes in an amount which, when added to the aggregate indebtedness then outstanding, will not exceed 5% of the most recent assessed valuation of taxable property in the School District as of the date of bond authorization. Under such constitutional and statutory standard the computation of debt limit of the School District and its debt contracting margin are as follows:

Summary of Statistical Debt Information

Population (2009)	29,729
Assessed Valuation*	950,600,129
Debt Limit (5% of Assessed Valuation)	47,530,006
Outstanding Debt (Including the Series 2011 Bonds)	37,000,000
Debt Contracting Margin	10,530,006
Per Capita Debt	1,244.58
Outstanding Debt as percentage of Assessed Valuation	3.89%

^{*}Assessed Value is estimated to be approximately 60% of appraised or market value (Assessment Year 2010, Fiscal Year 2011).

Debt Service Requirements

Upon issuance of the Series 2011 Bonds, based on the interest rates and yields set forth on the cover page, the Board will have the following debt:

Schedule of Bond Indebtedness

Year Ending	Series 2011	Series 2011	TOTAL
June 30	Principal (\$)	Interest (\$)	(\$)
2012	595,000		
2013	865,000		
2014	900,000		
2015	945,000		
2016	985,000		
2017	1,030,000		
2018	1,080,000		
2019	1,130,000		
2020	1,180,000		
2021	1,235,000		
2022	1,290,000		
2023	1,350,000		
2024	1,415,000		
2025	1,480,000		
2026	1,545,000		
2027	1,620,000		
2028	1,695,000		
2029	1,770,000		
2030	1,850,000		
2031	1,935,000		
2032	2,025,000		
2033	2,120,000		
2034	2,215,000		
2035	2,320,000		
2036	2,425,000		ĺ
TOTAL	37,000,000		

Overlapping Debt

There is no overlapping county or city general obligation debt.

CERTAIN FINANCIAL INFORMATION

Description of Funds

The accounts of the Board are organized on the basis of funds, each of which constitutes a separate entity for accounting procedures. For reporting purposes the various funds are organized into the following major groups:

1. Debt Service Fund

The Debt Service Fund is a separate and distinct fund used only as an "Interest and Sinking Fund" to meet the demands of maturing bonds and bond interest payments.

Taxes levied on real and personal property (other than public utility property), to be used to make Debt Service Fund payments, are collected by the Sheriff, while taxes levied on public utility property to be used to make Debt Service Fund payments are collected by the State Auditor and remitted to the Sheriff. Collections are transferred periodically to the Bond Commission. The Bond Commission, in turn, disburses funds to meet the payment of bonds and bond interest payments as well as paying agency fees. From time to time, the Commission invests amounts in the Debt Service Fund that are in excess of payment schedules and credits the interest income to the Debt Service Fund. (See "Investment of Certain Funds").

2. Bond Construction Fund

The Bond Construction Fund is a separate and distinct fund consisting of proceeds from the sale of bonds authorized by an election, from State School Building funds and from special funds that are categorically identified and authorized to supplement local bond proceeds or State School Building funds. Expenditures are generally restricted to capital outlay purposes by the bond election call, by special funding agreements or by the State Board of Education in approving specific building projects.

3. Capital Projects Fund

The Capital Projects Fund accounts for financial resources used to acquire or construct specific major capital facilities other than by the sale of bonds or the reservation of monies in a permanent improvement fund. A separate fund may be established for each specific capital project.

4. General Current Expense Fund

The General Current Expense Fund is a separate and distinct fund and is used for all general operating purposes except for revenues and expenditures that are contained in the Debt Service Fund and the Bond Construction Fund. Revenues generally come from: (1) general and special levy taxes, (2) other local or miscellaneous revenues, (3) State aid to counties for restricted and unrestricted purposes, and (4) Federal aid received directly or through the State, usually categorical or restricted.

5. Special Revenue Fund

Accounts for the financial resources of the Board, which are restricted either legally or by the grantor.

Investment of Certain Funds

Proceeds of tax collections relating to the Series 2011 Bonds which are transferred to the Bond Commission will be invested in the Consolidated Fund managed by the West Virginia State Treasurer's Office. The West Virginia Board of Treasury Investments is governed by a Board of Trustees consisting of the Governor, the State Auditor, the State Treasurer and two members appointed by the Governor. The Bond Commission currently invests its funds in The Consolidated Fund's Government Money Market Pool. Investments are limited to U.S. Government obligations, select U.S. Government Agency-guaranteed obligations or repurchase agreements with average maturities not to exceed 90 days.

Accounting Practices

The financial statements are prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to local governmental units. The Governmental Accounting Standard Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The district-wide statements (Statement of Net Assets and the Statement of

Activities) are prepared using the economic resources measurement focus and the full accrual basis of accounting. The governmental fund financial statements (Balance Sheet- Governmental Funds and the Statement of Revenues, Expenditures, and Changes in Fund Balances- Governmental Fund) were prepared using the current financial resources measurement focus and the modified accrual basis of accounting.

Annual Audit

An annual audit of accounts is prepared by the State Auditor or an independent certified public accounting firm approved by the State Auditor. The audit is conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Budgetary Procedures

Prior to the beginning of each fiscal year, the Board develops a fiscal plan consisting of contemplated expenditures. The annual budget development process is customarily developed along the following guidelines and in accordance with a budget calendar summarized as follows:

July Overall goals are revised and established by the Board. Implementation and valuation of

Board goals are established by the superintendent.

Student enrollment and personnel employee numbers are gathered system wide to determine October

State aid funding basis for subsequent fiscal year.

November-All staffing reviewed. Personnel reductions and additions are determined by local school councils, the public, the administration and the superintendent. December

Preliminary forecasts of revenues and expenditures are determined by January-February

administration. Non-salary items reviewed.

March Assessed valuations and preliminary State aid calculations received on or about March 3. The Board is required to ascertain the fiscal condition of the School District and determine the amount to be raised by the levy of taxes. Proposed levy rates must be submitted to the State Tax

Commissioner and State Board of Education by March 28.

On the third Tuesday in April, the Board officially enters all levies for the coming year by April/May ordering the levy of taxes commencing July 1. The proposed budget must be made available for public inspection for ten days and must be published in local newspapers for two weeks prior to the budget hearing.

> A public hearing shall be held concerning the operating budget not less than 10 days after such budget has been made available for public inspection. The Board is required to submit a budget to the State Board of Education and State Tax Commissioner no earlier than 10 days after receipt of the final State aid computations.

Board advised of ending balances for previous fiscal year. Board and administration evaluate September status for current fiscal obligations in relation to ending balances and established budgetary changes necessitated.

Internal Control

The system of internal control includes budgetary control, periodic operating reports and statistical analyses. The system checks the accuracy and reliability of its accounting data, promotes operational efficiency and encourages prescribed managerial policies.

The system provides segregation of functional responsibilities and control over assets, liabilities, revenues and expenses. Responsibilities and delegations of authority are assigned by the superintendent and Board in accordance with State Board of Education policy and advice of the State Auditor.

Statement of Revenues and Expenditures -- Budget and Actual

Revenues, Expenditures and Changes in Fund Balance – Regulatory Basis **Budget and Actual** General Current Expense Fund Year ended June 30

	2009 Budget (\$)	2009 Actual (\$)	2010 Budget (\$)	2010 Actual (\$)	2011 Budget (\$)
Revenues:	11,965,334	12,186,852	13,210,864	13,175,439	13,035,830
Property Taxes	313,224	311,328	1,031,395	480,678	531,500
Other Local Sources	22,265,218	22,265,218	22,623,767	21,010,465	20,622,520
State Sources	805,000	975,674	1,000,000	979,417	1,000,000
Federal Sources	,	575,07	12,500		12,500
Miscellaneous Sources Total Revenues Collected	35,348,776	36,738,283	37,878,526	36,645,999	35,202,350
Expenditures:	21,339,226	22,061,001	20,480,155	20,049,208	19,317,785
Instruction*	21,339,220	22,001,001	,,		Ĭ
Supporting Services:	1,072,875	1,069,431	1,691,965	1,130,496	1,934,041
Students	359,183	378,433	382,074	377,834	373,742
Instructional Staff	1,883,616	1,863,349	2,342,350	6,092,665	2,005,855
Central Administration	2,432,504	2,457,714	2,445,906	2,401,336	2,455,551
School Administration	799,099	813,930	848,537	756,669	875,741
Business	4,330,253	4,083,973	5,645,181	4,390,081	5,462,648
Operation & Maintenance of Facilities	3,067,339	3,002,982	3,290,811	3,009,372	3,294,142
Student Transportation	3,007,339	31,178	2,000	1,912	16,000
Food Services	33,010	33,010	40,000	40,000	
Community Services	415,000	55,010	445,347	444,666	
Capital Outlay Total Expenditures	35,735,105	35,795,001	37,614,326	39,234,238	35,735,505
Excess (Deficiency) of Revenues over Expenditures	(386,329)	943,282	264,200	(3,558,239)	(533,155)
Other Financing Sources (Uses)			100,000	45 617	75,000
Transfers in	97,500	34,383	100,000	45,617	(526,355)
Transfers (out)	<u>(659,754)</u>	<u>(670,168)</u>	(650,000	(650,000)	1
Total other financing sources (uses)	(562,254)	(635,785)	(550,000)	(604,383)	(451,355)
Net change in Fund Balance	(948,583)	307,497	(285,000)	(4,192,622)	(984,510)
Fund Balance – beginning, as restated (July 1)	984,583	684,194	285,800	1,004,809	984,510
Fund Balance – ending (June 30)	***	993,691		(3,187,813)	

Source: Hancock County Board of Education

^{*}This includes \$4,349,855 OPEB Liabilities for Fiscal Year 2010 (2009-2010 Actual)

Insurance Coverage (Source: Hancock County Board of Education)

. Тур	e		Amount in I	Force (FY 2011)	
	Fire, extended coverage/building	ngs & personal property	\$1,0	00,000 per occurr	ence
	Public official position bond:	Superintendent	\$ 10	,000	
		Board President	\$ 10	0,000	
	•	Treasurer	\$300	000,	
	Blanket Bond		\$		
	Fidelity Honesty Bond (all emp	ployees)	\$	0	
	Money & Securities (all emplo	yees)	\$	0	
	Deductible - \$2 500 per occurr				

Liability Insurance: The Board is insured for the coverage indicated below under a general liability policy and an automobile policy issued to the State of West Virginia by National Union Fire Insurance Co. of Pittsburgh, Pennsylvania. The Board is an Additional Insured under the policies for a coverage period July 1, 2010 to July 1, 2011. The Board is insured for the following coverages:

Comprehensive general liability insurance
Personal injury liability insurance
Professional liability insurance
Stop gap liability insurance
Wrongful act liability insurance

Comprehensive auto liability insurance

Auto physical damage insurance, including comprehensive and collision, and Garagekeepers insurance.

2. Limits of Liability

1.

EACH OCCURRENCE. \$1,000,000 each occurrence for all coverage combined. This limit is not increased if a claim is insured under more than one coverage or if claim is made against more than one insured.

SPECIAL LIMITS. The auto physical damage limit is the actual cash value of each vehicle subject to a deductible of \$1,000.00 for private passenger vehicles or \$1,000 for other vehicle types including mobile equipment.

DEFENSE COSTS. Defense costs are in addition to each occurrence limit of liability.

Source: Hancock County Board of Education

Teachers Retirement Systems (Source: West Virginia Consolidated Public Retirement Board)

Teachers Retirement System (Defined Benefit)

The Teachers Retirement System (TRS), established in 1941, is a multiple employer defined benefit cost sharing public employee retirement plan covering all full-time employees of the 55 county public school system, certain personnel of the 16 state-supported higher education institutions, and employees of the State Department of Education. As of July 1, 2009, there are 35,701 active members and 29,245 retirees. The plan reopened for new members as of July 1, 2005.

Members contribute 6% of annual earnings. Employers contribute 15% or 7.5% of a member's annual earnings. A member who withdraws from service for any cause other than death, retirement or disability, may request the accumulated employee contributions plus interest be refunded. TRS provides retirement benefits, as well as death and disability benefits.

The most recent actuarial valuation of TRS was performed July 1, 2009 by Buck Consultants. The asset valuation method utilizes market value to place a value on assets. The actuarial cost method valuation utilized entry age cost with individually computed accrued liabilities, including an earnings assumption of 7.5% annually, net after expenses. As of July 1, 2009, the unfunded liability of TRS was \$5.053098 billion. The funded percentage was 41.3%. The TRS unfunded accrued liability should be extinguished on or about June 30, 2034.

Teachers' Defined Contribution Retirement System

The Teachers' Defined Contribution Retirement System (TDC) is a multiple employer defined contribution retirement system covering primarily full-time employees of the State's 55 county public school systems, the State Department of Education, and School for the Deaf and Blind hired after June 30, 1991. The system includes former TRS plan members, including higher education employees, who elected to transfer into or participate in TDC. The plan closed for new members as of July 1, 2005.

As of July 1, 2008, there were approximately 5,155 members in the TDC. Benefits depend solely on amounts contributed to the plan plus investment earnings. Employees are required to participate from the date of employment. Members may choose from thirteen (13) separate investment options.

Employees contribute 4.5% of their gross compensation and employers contribute 7.5% of covered members' gross compensation from amounts allocated to the employers through the State School Aid formula. Employer contribution for each employee (and interest allocated to the employee's account) become partially vested after six (6) years and fully vested after twelve (12) years of complete service. Employer contributions and earnings thereon forfeited by employees who leave employment prior to becoming fully vested are available, in the event the employee does not return to active participant status within five (5) years, to reduce the employer's current-period contribution requirement. Benefits depend solely on the amounts contributed plus net investment earnings thereon.

TDC Transfer to TRS

In 2008, the West Virginia Legislature enacted legislation authorizing members of the TDC to elect to voluntarily transfer to TRS. For the transfer to occur the legislation required that at least 65% of members of TDC as of December 31, 2007 to elect the transfer. Over 78% of actively contributing TDC members elected to transfer to TRS. Approximately 15,152 TDC members were transferred to TRS on July 1, 2008.

TAX MATTERS

In the opinion of Bond Counsel, (a) under existing laws, regulations, published rulings and judicial decisions of the United States of America, as presently written and applied, interest on the Series 2011 Bonds is excludable from gross income of the owners thereof for federal income tax purposes, under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals or corporations upon the conditions and subject to the limitations set forth in this section, and (b) under existing West Virginia Law, the Series 2011 Bonds are exempt from all taxation by the State of West Virginia or any political subdivision thereof.

The Code imposes various restrictions, conditions and requirements relating to the exclusion from gross income for federal income tax purposes of interest on obligations such as the Series 2011 Bonds. The Board has covenanted to comply with certain restrictions designed to ensure that interest on the Series 2011 Bonds will not be included in federal gross income. Failure to comply with these covenants may result in interest on the Series 2011 Bonds being included in gross income for federal income tax purposes, possibly from the date of original issuance of the Series 2011 Bonds. The opinion of Bond Counsel assumes compliance with these covenants. Bond Counsel has not undertaken to determine (or to inform any person) whether any actions taken (or not taken) or events occurring (or not occurring) after the date of issuance of the Series 2011 Bonds may adversely affect the value of, or the tax status of interest on, the Series 2011 Bonds. Further, no assurance can be given that pending or future legislation or amendments to the Code, if enacted into law, or any proposed legislation or amendments to the Code, will not adversely affect the value of, or the tax status of interest on, the Series 2011 Bonds. Prospective purchasers of the Series 2011 Bonds are urged to consult their own tax advisors with respect to proposals to restructure the federal income tax.

Although Bond Counsel is of the opinion that interest on the Series 2011 Bonds is excluded from gross income for federal income tax purposes, the ownership or disposition of, or the accrual or receipt of interest on, the Series 2011 Bonds may otherwise affect an owner's federal tax liability. The nature and extent of these other tax consequences will depend upon the particular tax status of the owner or the owner's other items of income or deduction. Bond Counsel expresses no opinion regarding any such other tax consequences.

Future legislative proposals, if enacted into law, clarification of the Code or court decisions may cause interest on the Series 2011 Bonds to be subject, directly or indirectly, to federal income taxation or to be subject to or exempted from state income taxation, or otherwise prevent beneficial owners from realizing the full current benefit of the tax status of such interest. The introduction or enactment of any such future legislative proposals, clarification of the Code or court decisions may also affect the market price for, or marketability of, the Series 2011 Bonds. Prospective purchasers of the Series 2011 Bonds should consult their own tax advisors regarding any pending or proposed federal or state tax legislation, regulations or litigation, as to which Bond Counsel expresses no opinion.

The opinion of Bond Counsel is based on current legal authority and represents Bond Counsel's judgment as to the proper treatment of the Series 2011 Bonds for federal income tax purposes. It is not binding on the Internal Revenue Service ("IRS") or the courts. Furthermore, Bond Counsel cannot give and has not given any opinion or assurance about the future activities of the Board, or about the effect of future changes in the Code, the applicable regulations, the interpretation thereof or the enforcement thereof by the IRS. The Board has covenanted, however, to comply with the requirements of the Code.

Bond Counsel's engagement with respect to the Series 2011 Bonds ends with the issuance of the Series 2011 Bonds, and unless separately engaged, Bond Counsel is not obligated to defend the Board or the beneficial owners regarding the tax-exempt status of the Series 2011 Bonds in the event of an audit examination by the IRS. Under current procedures, parties other than the Board and its counsel, including the beneficial owners, would have little, if any, right to participate in the audit examination process. Moreover, because achieving judicial review in connection with an audit examination of tax-exempt bonds is difficult, obtaining an independent review of IRS positions with which the Board legitimately disagrees may not be practicable. Any action of the IRS, including but not limited to selection of the Series 2011 Bonds for audit, or the course or result of such audit, or an audit of bonds presenting similar tax issues may affect the market price for, or the marketability of, the Series 2011 Bonds, and may cause the Board or the beneficial owners to incur significant expense.

LITIGATION IN THE STATE CONCERNING THE SCHOOL FINANCING SYSTEM

The School District may be affected by litigation pending in the courts of the State of West Virginia with potential impact on local taxes for school purposes similar to the litigation which has continued in certain states, such as <u>Serrano v. Priest</u> in California, challenging the constitutionality of present systems of levying taxes and applying funds for public school purposes.

On May 11, 1982 in the matter entitled Pauley v. Bailey, a special judge of the Circuit Court for Kanawha County held that the West Virginia school finance system violates the West Virginia Constitution and that inequities in the levels of funding for various counties were attributable to undue reliance on excess levies which favored property-rich counties. By order of March 4, 1983, a master plan prepared by the State Board of Education and State Superintendent of Schools was filed as part of the record in the case. The court expressed its intention that the master plan be viewed as a proposal to the State Legislature for implementing, by statute, a constitutional system of financing public education. No legislation resolving the question was adopted during the 1984 legislative session, and on January 8, 1985, the plaintiffs moved the court to address the excess levy problem. On December 3, 1985, the court ordered that if the legislature did not, by July 1, 1987, replace or equalize excess levy revenues by one of the methods enumerated in such order, the court would direct a more equitable distribution. The legislature then adopted a constitutional amendment authorizing a statewide excess levy. The proposed amendment was to be submitted to the voters in a special election to be held March 5, 1988. The court entered a supplemental order on June 29, 1987, providing that if the statewide excess levy was not approved by the voters, a sum equal to 20% of each county's excess levy revenues in fiscal year 1988-89 (to be increased by an additional 20% in each of the next four fiscal years) would be withheld and distributed "on an equitable basis described by the court." The statewide excess levy amendment was defeated at the special election and the supplemental order became operative. However, on April 8, 1988, the state tax commissioner, the auditor and 33 county boards of education petitioned the Supreme Court of Appeals of West Virginia for a writ of prohibition to bar enforcement of the supplemental order. On November 23, 1988 in State ex rel. the Boards of Education of the Counties of Upshur et al, the Supreme Court of Appeals issued the writ of prohibition, and noting that the court below had plainly exceeded its legitimate powers by the entry of an unconstitutional order, found the existing excess levy provision not violative of the State Constitution. The Supreme Court of Appeals

suggested therein that it would be appropriate for the lower court to consider whether a statewide reappraisal should be ordered to be implemented to remedy the school financing problem.

In May of 1995 a Motion to join the President of the State Senate and the Speaker of the State House of Delegates as defendants in <u>Pauley</u> was granted by the Circuit Court. The Circuit Court later reconsidered this Motion and the President of the State Senate and the Speaker of the House of Delegates are no longer defendants. Additionally, with the motion to join defendants, the plaintiffs moved the Circuit Court for an order enforcing the judgment previously entered including establishment of a timetable for implementation of the Master Plan for Public Education and a timetable for implementation of changes to the system of financing public education in West Virginia. A trial was scheduled for July 3, 2000. However, prior to going to trial, the parties reached a settlement with regard to a number of the issues.

Finally, on January 3, 2003, <u>Pauley</u> was dismissed and dropped from the active docket of the court. The court stated in its Memorandum of Opinion and final Order the following:

- 1. The plaintiff class's request to compel the West Virginia Legislature to remove the net enrollment caps in Steps 1 and 2 of the Foundation Allowance to provide additional professional and service personnel of the county as embraced within West Virginia Code §18-9A-1, et seq., and the use of a density mileage factor within the Foundation Allowance is hereby DENIED.
- 2. The decision of the honorable Dan C. Robinson that the School Financing Formula as embraced within West Virginia Code §18-9A-1, et seq., was constitutionally deficient is hereby vacated and held for naught; and
- 3. West Virginia Code §18-2E-5 is specifically found to satisfy the requirements of W.Va. Const. Art. XII §1 to the extent that the Legislature has provided, by public law, for a thorough and efficient system of free schools.
- 4. There being no further need to maintain continuing jurisdiction in this matter, this case shall be dismissed and dropped from the active docket of this Court, to all of which action all parties' objection is hereby preserved.

On December 28, 1990, a class action was filed against the State Superintendent of Schools, the West Virginia Board of Education and the School Building Authority of West Virginia in the United States District Court for the Southern District of West Virginia by a group of plaintiffs alleging improper action by defendants in following a policy of approval of segregated outbuildings for special education students and expenditures therefor. (Harris et. al. v. Marockie, et. al.). The action also alleged that defendants have discriminated against the plaintiff class by failure to protect them from improper behavioral control procedures by County Boards of Education, failure to monitor or enforce educational standards and failure to provide adequately trained instructors.

Plaintiffs requested relief in the form of various declaratory and injunctive measures to remedy the alleged improprieties, including submission of a plan to alleviate alleged constitutional and legal deficiencies in special education in the State. No monetary damages were stated in the complaint. On July 10, 1991 a Settlement Agreement was approved by the District Court. The Settlement Agreement, as approved by the District Court, provided inter alia that the State School Building Authority would, in the application process and before disbursement of monies to local boards of education, obtain sufficient information to assure that no projects approved or funded would permit segregated outbuildings, segregated schools or inappropriately located self-contained classrooms in regular buildings in which classrooms are not contiguous to or in proximity with classrooms of age-appropriate, non-handicapped children or that permits a county to continue the existence of such an outbuilding, school or classroom.

In the opinion of Bond Counsel, the final resolution of the <u>Pauley</u> and <u>Harris</u> decisions by the courts of the State will not affect the validity or binding obligation, nature of the Series 2011 Bonds or modify the right of the holders thereof to ultimate recourse to unlimited ad valorem taxes upon all the taxable property within the School District for the payment of the Series 2011 Bonds if not paid from other sources.

LITIGATION

In the ordinary conduct of its affairs, the Board is party to litigation pending in the courts of the State. The Board engages counsel to represent the Board on various matters. The Secretary of the Board has reviewed the current status of all pending and threatened litigation with such counsel, and expresses the opinion of the Board that while the outcome of litigation cannot be predicted, it is nevertheless not probable that Board liability in any such matters is likely to have a material adverse affect on the financial condition of the Board.

At the time of payment for and delivery of the Series 2011 Bonds, the purchasers will be furnished with a certificate of the Secretary of the Board that there is no litigation pending or threatened affecting the validity of the Series 2011 Bonds or any of the proceedings taken with respect to the issuance and sale thereof or the levy or collection of any taxes to pay the principal of or interest on the Series 2011 Bonds. Such certificate shall also state that there is no litigation pending or threatened against the Board which materially adversely affects the financial condition of the Board.

CONTINUING DISCLOSURE

The Board has covenanted for the benefit of the Owners of the Series 2011 Bonds, in accordance with the Continuing Disclosure Agreement which shall be delivered in substantially the form attached hereto as Exhibit G, to provide financial information not later than two hundred seventy (270) days following the end of the Board's fiscal year, commencing with the report for the fiscal year ending June 30, 2010 (which is due no later than March 31, 2011), and to provide notice of the occurrence of the enumerated events listed herein, if material. The Annual Information and each notice of material events will be filed electronically by WesBanco Bank, Inc., Wheeling, West Virginia, as dissemination agent, on behalf of the Board with the Electronic Municipal Markets Access system ("EMMA").

This continuing disclosure obligation is being undertaken to comply with Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission. The Board, has agreed to give notice in a timely manner to EMMA of any failure to supply the required information. However, any such failure will not constitute a default under the terms of the Series 2011 Bonds. Under the Continuing Disclosure Agreement, the sole remedy for such failure is to seek an order for specific performance. SEE "APPENDIX G – FORM OF CONTINUING DISCLOSURE AGREEMENT."

LEGAL MATTERS

All legal matters incident to the authorization, issuance, sale and delivery of the Series 2011 Bonds are subject to the approval of Bowles Rice McDavid Graff & Love LLP, Charleston, West Virginia, Bond Counsel, whose approving legal opinion will be delivered with such Series 2011 Bonds.

SALE AT COMPETITIVE BIDDING

The Series 2011 Bonds will be offered by the Board at competitive bidding on February 24, 2011 in accordance with the Official Notice of Sale.

RATING

Standard & Poor's Corporation, 55 Waters Street, New York, New York, 10041, has assigned the Series 2011 Bonds its rating of '__'. The Board did not apply for any other ratings. Such rating reflects only the views of such organization and reference is made to such organization for the meaning of such rating. There is no assurance that such rating will continue for any period of time or that such rating will not be revised downward or withdrawn entirely by the assigning rating agency, if in the judgment of such rating agency, circumstances so warrant. Any downward revision or withdrawal of such rating may have an adverse effect upon the market price or value of the Series 2011 Bonds.

FINANCIAL ADVISOR

Raymond James & Associates, Inc., Charleston, West Virginia, Financial Advisor to the Board, or its directors or employees, may hold, own or dispose of bonds, including the Series 2011 Bonds, issued by the Board. Raymond James & Associates, Inc., may wish to bid alone or as a member of a syndicate for the purchase of the Series 2011 Bonds.

CONCLUDING STATEMENT

The information furnished in this Official Statement is set forth for the benefit of prospective purchasers of the \$37,000,000 in aggregate principal amount of The Board of Education of the County of Hancock Public School Bonds, Series 2011. The material contained in the Official Statement was compiled for and at the direction of The Board of Education of the County of Hancock by Raymond James & Associates, Inc. in its capacity as Financial Advisor.

All statements, estimates, assumptions and summaries of documents in this Official Statement have been made on the basis of the best information available and are believed to be correct and reliable, but no representations whatsoever are made that such statements, estimates, assumptions and summaries of documents are correct or will be realized.

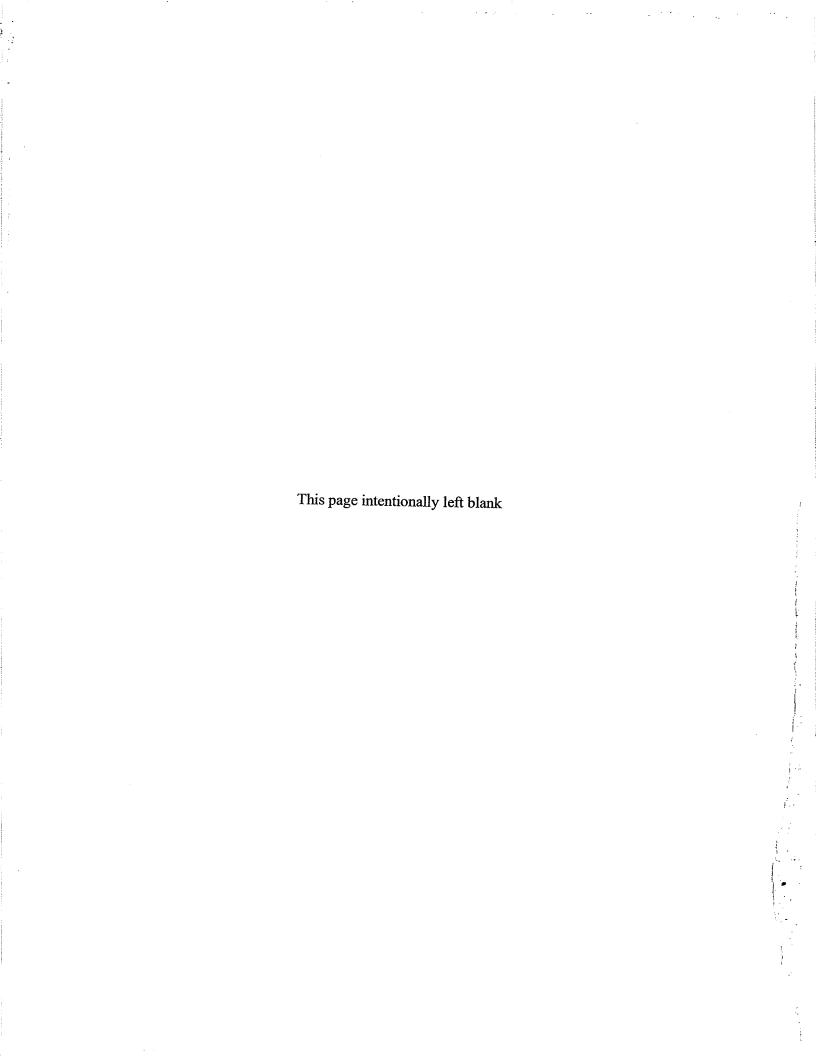
So far as any statements are made in this Official Statement involving matters of opinion, whether or not expressly so stated, they are set forth as such and not as representation of fact. Neither this Official Statement nor any statement which may have been made orally or in writing is to be construed as a contract with the holders of any of the Series 2011 Bonds.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

Ву:	<u>/s/</u>		President
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AUDIT REPORT OF
HANCOCK COUNTY BOARD OF EDUCATION
NEW CUMBERLAND, WEST VIRGINIA
For the Fiscal Year Ended June 30, 2009



AUDIT REPORT OF HANCOCK COUNTY BOARD OF EDUCATION For the Fiscal Year Ended June 30, 2009

This audit has been conducted pursuant to the authority and duty of the State Auditor as Chief Inspector and Supervisor of Public Offices to conduct an annual inspection of all political subdivisions of the State of West Virginia and any agency created by these subdivisions. This power is granted by West Virginia Code §6-9-1 et seq.

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF FUNDS INCLUDED IN REPORT For the Fiscal Year Ended June 30, 2009

GOVERNMENTAL FUND TYPES

MAJOR FUNDS

General Current Expense Fund

Special Revenue Fund

Restricted Projects

Capital Projects Funds

Capital Projects

FIDUCIARY FUND TYPES

Agency Funds

School Activity

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INTRODUCTORY SECTION

HANCOCK COUNTY BOARD OF EDUCATION OFFICIALS

For the Fiscal Year Ended June 30, 2009

OFFICE	NAME	TERM
Board Members:	Elective Christine Fair(for Joe Barnebie) John Manypenny Laura Greathouse(for Tim Reinard) Jerry L. Durante Patsy Brancazio Appointive	07-01-08 / 06-30-10 07-01-06 / 06-30-10 07-01-08 / 06-30-10 07-01-08 / 06-30-12 07-01-08 / 06-30-12
Board President:	Jerry L. Durante	07-01-08 / 06-30-10
Treasurer:	Joseph Campinelli	

•			
	FINANCIAL SECTION		
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State of West Mirginia

Office of the State Auditor Chief Inspector Division Building 1, Room W-420 Charleston, West Virginia 25305 Toll Free: 877-982-9148 Telephone: (304) 558-2540 FAX: (304) 558-5327 Internet: http://www.wysao.gov

INDEPENDENT AUDITOR'S REPORT

Honorable Members of the Hancock County Board Of Education New Cumberland, West Virginia

Glen B. Gainer III

State Auditor and

Chief Inspector

Stuart T. Stickel, CPA

Deputy Chief Inspector

We have audited the accompanying financial statements of the governmental activities, each major fund, and the remaining fund information of the Hancock County Board of Education (the Board), as of and for the year ended June 30, 2009, which collectively comprise the Board's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the entity's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the remaining fund information of the Hancock Board of Education, as of June 30, 2009, and the respective changes in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Honorable Members of the Hancock County Board Of Education Page 2

In accordance with Government Auditing Standards, we have also issued our report dated May 12, 2010 on our consideration of the Board's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

As discussed in Note 3, the Board implemented the provisions of Governmental Accounting Standards Board Statement Number 45, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions.

The management's discussion and analysis and budgetary comparison information for the General Current Expense Fund and the Special Revenue Fund are not a required part of the basic financial statements, but are supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Board's financial statements. The introductory section, budgetary comparison information for the Capital Projects Fund, and the Schedule of Changes in School Activity Funds are presented for purposes of additional analysis and are not required parts of the financial statements. The accompanying Schedule of Expenditures of Federal Awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and is also not a required part of the basic financial statements of the Hancock County Board of Education. Such information, with the exception of the introductory section, has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated in all material respects in relation to the financial statements taken as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and accordingly, we express no opinion on it.

Respectfully submitted,

Glen B. Gainer, III

West Virginia State Auditor

For the Fiscal Year Ended June 30, 2009

Our discussion and analysis of the Hancock County Board of Education's financial performance provides an overview of the Board's financial activities for the fiscal year ended June 30, 2009. Please read this discussion and analysis in conjunction with the Board's basic financial statements, which are presented immediately following this Management's Discussion and Analysis.

Financial Highlights

- The Board's assets exceeded liabilities by \$24,692,350 at the close of the most recent fiscal year. Of this amount, \$709,860 may be used to meet the government's ongoing obligations to citizens and creditors.
- The Board's total net assets increased by \$683,760.
- As of the close of the current fiscal year, the Board's governmental funds reported combined ending fund balances of \$248,556, a decrease of \$463,101 in comparison with the prior year. Approximately \$110,005 of this total amount is available for spending at the Board's discretion.
- At the end of the current fiscal year, unreserved fund balance for the General Fund was \$971,580 or 2.7 percent of total General Fund expenditures.

Overview of the Financial Statements

The discussion and analysis is intended to serve as an introduction to the Board's basic financial statements. The Board's basic financial statements comprise three components: 1) district-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

District-wide financial statements - The district-wide financial statements are designed to provide readers with a broad overview of the Board's finances, in a manner similar to a private-sector business.

The statement of net assets presents information on all of the Board's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Board is improving or deteriorating.

The statement of activities presents information showing how the government's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing or related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

The district-wide financial statements can be found on pages 12 and 13 of this report.

For the Fiscal Year Ended June 30, 2009

Fund financial statements - A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Board, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the Board can be divided into two categories: governmental funds and fiduciary funds.

Governmental funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the district-wide financial statements. However, unlike the district-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the district-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the district-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The Board maintains three individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, the special revenue fund and the capital projects fund, all of which are considered major funds.

Fiduciary funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the governmental entity. Fiduciary funds are not reflected in the district-wide financial statement because the Board cannot use these funds to finance its operations.

The Board uses an agency fund to account for resources held for student activities and groups. The basic fiduciary fund financial statement can be found on page 17 of this report.

Notes to the basic financial statements - The notes provide additional information that is essential for a full understanding of the data provided in the district-wide and fund financial statements. The notes to the financial statements can be found on pages 18 to 37 of this report.

For the Fiscal Year Ended June 30, 2009

District-wide Financial Analysis

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. In the case of the Board, assets exceeded liabilities by \$24,692,352 at the close of the most recent fiscal year.

	 Governmental Activities	
ASSETS Current and other assets Capital assets	\$ 6,388,961 24,180,253	
Total assets	\$ 30,569,214	
LIABILITIES AND NET ASSETS Liabilities: Current and other liabilities Long-term liabilities outstanding	\$ 5,679,101 197,761	
Total liabilities	 5,876,862	
Net assets: Invested in capital assets, net of related debt Unrestricted	\$ 23,982,492 709,860	
Total net assets	\$ 24,692,352	
Total liabilities and net assets	 30,569,214	
Total manifice and not good		

- The largest portion of the Board's net assets, 97.13% reflects its investment in capital assets (e.g. land, buildings, furniture and equipment, vehicles), less any related debt used to acquire those assets that is still outstanding. The Board uses these capital assets to provide services to students; consequently, these assets are *not* available for future spending. Although the Board's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.
- An additional portion of the Board's net assets, 0.04% represents resources that are subject to external restrictions on how they may be used. The majority of the restricted balance is for special projects and the payment of state and federal grants.
- The remaining balance of *unrestricted net assets*, 2.84% may be used to meet the Board's obligations to students, employees, and creditors and to honor next year's budget.

For the Fiscal Year Ended June 30, 2009

At the end of the current fiscal year, the Board was able to report positive balances in all three categories of net assets. The same situation was not true for the prior fiscal year.

Restricted net assets decreased by \$16,577 during the year ended June 30, 2009. This decrease resulted primarily from receivables being greater than prior years.

The Board's total net assets increased by \$683,760 during the current year. In the past several years, the Board has experienced a down-sizing of one of the major tax payers and has made strong efforts to monitor and decrease spending where possible. These factors have contributed to the current increase.

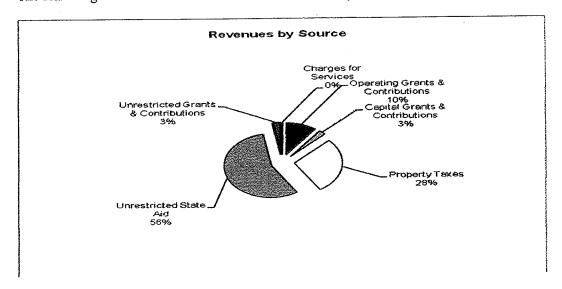
The key elements of the Board's net assets for the year ended June 30, 2009 are as follows:

	G	overnmental Activities
Revenues:		
Program revenues:		
Charges for services	\$	95,642
Operating grants and contributions		4,332,540
Capital grants and contributions		981,027
General revenues:		
Property taxes		11,905,441
Unrestricted state aid		23,821,877
Unrestricted investment earnings		45,700
Unrestricted grants and contributions		1,132,960
Total revenues	\$	42,315,187
Expenses:		
Instruction	\$	25,217,847
Supporting services:		
Students		1,131,625
Instructional staff		899,224
District admin.		1,987,320
School admin.		2,462,572
Business services		936,415
Operation and Maint.		3,969,011
Transportation		3,211,367
Food services		1,721,814
Community services		94,232
Total expenses	\$	41,631,427
Change in net assets before transfers		683,760
Transfers		-
Change in net assets		683,760
Net assets - July 1, 2008		24,008,592
Net assets - June 30, 2009	\$	24,692,352

For the Fiscal Year Ended June 30, 2009

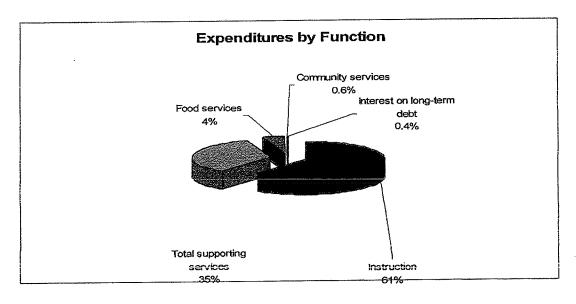
When comparing revenues from the prior year, the school district saw an increase of \$2,787,867. The largest increase continues to be from federal and state aid. The increase is due to a slight increase in student enrollment which is the driving factor in producing state aid.

The following chart shows the Board's revenues for fiscal year ended June 30, 2009 by source:



When comparing expenditures from the prior year, the school district saw an increase of \$1,721,564. The largest decrease continues to be from a reduction in force of personnel and completion of some maintenance projects.

The following chart shows the Board's expenditures for fiscal year ended June 30, 2009 by function:



For the Fiscal Year Ended June 30, 2009

Financial Analysis of the Board's Funds

As noted earlier, the Board uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The focus of the Board's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Board's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year. As the Board completed the year, its governmental funds reported a combined fund balance of \$248,556.

Governmental funds report the differences between their assets and liabilities as fund balance, which is divided into reserved and unreserved portions. Reservations indicate the portion of the Board's fund balances that are not available for appropriation. The unreserved fund balance is, in turn, subdivided between designated and undesignated portions. Designations reflect the Board's self-imposed limitation on the use of otherwise available expendable financial resources in governmental funds. The Board had no portion of the unreserved fund balance designated.

General Fund Budgetary Highlights

During the year, the Board revised the budget. Budget amendments were to reflect changes in programs and related funding. The difference between the original budget and the final amended budget was an increase of \$1,237,872 in total general fund expenditures. The most significant differences may be summarized as follows:

- To carry forward prior fiscal year ending balance in the amount of \$948,583
- To include federal and state projects not originally included with the beginning budget.
- To include beginning work on a new HVAC project at Weir High School.

Capital Asset and Debt Administration

Capital assets - The Board's investment in capital assets for its governmental activities as of June 30, 2009 amounts to \$24,180,252 (net of accumulated depreciation). This investment in capital assets includes land, buildings and improvements, furniture and equipment, and vehicles. The total increase in the Board's investment in capital assets for the current fiscal year was 2.99 percent.

	GovernmentalActivities
Land	\$ 1,710,516
Construction in process	1,327,435
Long-term site improvements	27,288
Buildings and improvements	19,070,261
Furniture and equipment	523,751
Vehicles	1,521,001
Total capital assets	\$ 24,180,252

For the Fiscal Year Ended June 30, 2009

Additional information on the Board's capital assets can be found in Note 7 to the basic financial statements.

Long-term debt. At the end of the current fiscal year, the Board had capital lease obligations of \$197,760. The obligation for compensated absences for vacations was \$292,718 at June 30, 2009.

	 rnmental tivities
General obligation bonds	\$ •
Capital Lease obligations	197,760
Compensated absences	292,718
Accrued sick leave	 _
Total debt outstanding	 490,478

Additional information on the Board's long-term debt can be found in Note 8 to the basic financial statements.

Factors Bearing on the Board's Future

At the time these financial statements were prepared and audited, the Board was aware of circumstances that could significantly affect its financial health in the future:

- The county has a major tax payer in Mittal Steel Corporation. Mittal is currently undergoing a re-evaluation of their tax base which could lead to a drop in future tax assessments for the county. While the State of West Virginia will provide the majority of any lost tax revenue for current taxes levied, the State will not make up any of the excess levy tax base currently in place.
- Employees of the Board are eligible to receive special termination benefits in the form of convertible sick leave earned but not used prior to retirement. Upon retirement, an employee's accumulated sick leave may be converted to a greater retirement benefit or to payment of the retired employee's health insurance premiums. These special benefits are known as other post employment benefits or OPEB. The cost of additional retirement benefits are the liability of the West Virginia Consolidated Public Retirement Board and therefore are not recorded in the Board's financial statements. Currently, the cost of the health insurance premiums must be absorbed by the last agency employing the retiree. Historically, the West Virginia Legislature has appropriated funds for the Board for payment of a portion of these costs. However, because such appropriations are at the discretion of the Legislature, are not fully funded and are not guaranteed, the liability for the cost of sick leave convertible to health insurance premiums that is above the state appropriation is recorded in the Board's financial statements. At June 30 2009, the liability for such costs was \$431,144, which is included in the district-wide financial statement of net assets. The county has currently entered into a class action lawsuit along with over 40 other WV counties to dispute the legality of requiring the Board to record the OPEB liability. If successful, it is believed a portion if not all of the liability will be removed from the county's liabilities and be restored. If unsuccessful, the OPEB will have long term devastating effects on each county in the state of WV.

For the Fiscal Year Ended June 30, 2009

Contacting the Board's Financial Management

This financial report is designed to provide our citizens and taxpayers with a general overview of the Board's finances and to demonstrate the Board's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the Board Office, 104 North Court Street, New Cumberland, WV 26047.

HANCOCK COUNTY BOARD OF EDUCATION STATEMENT OF NET ASSETS June 30, 2009

	Governmental Activities
ASSETS	
Cash and cash equivalents	\$ 3,073,332
Investments	1,027,300
Taxes receivable, net of allowance for uncollectible taxes	155,753
Food services receivable	57,540
Other receivables	143,112
Due from other governments:	
State aid receivable	206,397
PEIA allocation receivable	498,486
Reimbursements receivable	1,227,041
Capital Assets not being depreciated:	
Land	1,710,516
Construction in Progress	1,327,435
Capital Assets being depreciated:	
Long Term Site Improvement	1,324,011
Buildings and improvements	33,111,507
Furniture and equipment	9,917,564
Vehicles	4,277,749
Less accumulated depreciation	(27,488,529)
Total capital assets, net of depreciation	24,180,253
Total assets	30,569,214
LIABILITIES AND NET ASSETS	
Liabilities:	
Salaries payable and related payroll liabilities	3,710,213
Workers' compensation payable	10,233
PEIA premiums payable	411,199
Deferred revenues	545,852
Compensated absences	292,718
Accounts payable	277,742
Other post employment benefit payable - state aid funded employees	431,144
Long-term obligations:	
Due within one year:	
Capital leases	110,923
Due beyond one year:	
Capital leases	86,838
Total liabilities	5,876,862
Net Assets:	
Invested in capital assets, net of related debt	23,982,492
Unrestricted	709,860
Total net assets	\$ 24,692,352

HANCOCK COUNTY BOARD OF EDUCATION STATEMENT OF ACTIVITIES For the Year Ended June 30, 2009

			A STATE OF THE PERSON NAMED IN COLUMN NAMED IN	-				SACTION OF THE PROPERTY.
		i		Q	Operating	Ĭ	Capital	Revenue & Changes
			Charges for	Gr	Grants and	Ġ	Grants and	in Net Assets
Functions	Exp	Expenses	Services	Cont	Contributions	Con	Contributions	Governmental Activities
Governmental activities:								
Instruction	\$ 25	25,217,846	, 59	€⁄3	2,039,890	69	460.526	\$ (22.717.430)
Supporting services:						+		
Students	1	,131,625	40,094		113,696		20.666	(627.169)
Instructional staff		899,224	,		225,901		16,422	(656.901)
District administration		,987,320	55,548		137,788		36,292	(1.757.692)
School administration	2	2,462,572	r		170,741		44,972	(2,246,859)
Business services		936,415	•		70,926		17,101	(848.388)
Operation and maintenance of facilities	3	3,969,011	•		275,187		72,482	(3,621,342)
Student transportation	6	3,211,367	2		230,138		309,566	(2,671,663)
Food services		,721,814	•		1,068,273			(653,541)
Community services		94,232	1			:	3,000	(91,232)
Total governmental activities	\$ 41	41,631,426 \$	\$ 95,642 \$	6-9	4,332,540	€	981.027	(36.222.217)

Property taxes Unrestricted state aid Unrestricted investment earnings Unrestricted grants and contributions	Total general revenues	Change in net assets	Net assets - beginning (Note 3)	Net assets - ending
--	------------------------	----------------------	---------------------------------	---------------------

General revenues:

45,700

1,132,960

23,821,877

11,905,441

683,761

24,008,591 24,692,352

36,905,978

The notes to the financial statements are an integral part of this statement.

HANCOCK COUNTY BOARD OF EDUCATION BALANCE SHEET - GOVERNMENTAL FUNDS June 30, 2009

		General Current Expense	Special Revenue Fund		Capital Projects Fund	Go	Total overnmental
ASSETS							
Cash and cash equivalents	\$	3,073,332	\$ -	\$	-	\$	3,073,332
Investments		1,027,300	-		-		1,027,300
Taxes receivable, net		155,753	-		-		155,753
Food service receivable, net		-	57,540		-		57,540
Other receivables		143,112	-		-		143,112
Due from other governments:							
State aid receivable		200,028	6,369		-		206,397
PEIA allocation receivable		498,486	-		-		498,486
Reimbursements receivable		-	1,227,041				1,227,041
Due from other funds		564,174	-		-		564,174
Total assets	\$	5,662,185	\$ 1,290,950	\$	-	\$	6,953,135
LIABILITIES AND FUND BALANCES							
Liabilities:							
Salaries payable and related payroll liabilities		3,710,213	-		-		3,710,213
Workers' compensation payable		10,233	-		-		10,233
Other post employment benefits payable:							
state aid funded		431,144	-		-		431,144
PEIA premiums payable		411,199	-		_		411,199
Accounts payable		105,705	172,037		-		277,742
Deferred revenue		-	1,299,874		-		1,299,874
Due to other funds		-	564,174		-		564,174
Total liabilities		4,668,494	2,036,085		-		6,704,579
Fund Balances:							
Reserved for:							
Encumbrances		22,111	11,734		104,706		138,551
Unreserved:							
Undesignated		971,580	(756,869)		(104,706)		110,005
Total fund balances		993,691	(745,135)		-		248,556
TOTAL LIABILITIES AND FUND BALANCES	\$	5,662,185	\$ 1,290,950	\$			
Amounts reported for governmental activities in the sta	atem	ent of net asse	ets differ due to	:			
Capital assets used in governmental activities are	not	t financial re	sources and,				
therefore, are not reported in the funds. (Note 7)							24,180,253
Receivable amounts that will be collected this year bu							
to pay for the current period's expenditures, and are the Receivable from Reimbursements	erefo	ore deferred in	the funds.				754,022
Long-term liabilities are not due and payable in the conot reported in the funds. (Note 8)	urre	nt period and,	therefore, are				
Capital leases payable							(197,760)
Compensated absences							(292,718)
•							
Net assets of governmental activities		•				\$	24,692,352

HANCOCK COUNTY BOARD OF EDUCATION STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS

For the Year Ended June 30, 2009

	General Current Expense	Special Revenue	Capital Projects Total Fund Governmental		
Revenues:					
Property taxes	\$ 12,186,852	\$ -	\$ -	\$ 12,186,852	
Other Local sources	311,328	510,214	•	821,542	
State sources	23,264,429	1,464,291	202,114	24,930,834	
Federal sources	975,674	2,962,829	*	3,938,503	
Total revenues	36,738,283	4,937,334	202,114	41,877,731	
Expenditures:					
Instruction	22,061,001	2,398,963	-	24,459,964	
Supporting services:					
Students	1,069,431	62,194	-	1,131,625	
Instructional staff	378,433	520,791	-	899,224	
Central administration	1,863,349	102,686	-	1,966,035	
School administration	2,457,714	3,158	-	2,460,872	
Business	813,930	114,152	-	928,082	
Operation and maintenance of facilities	4,083,973	11,504	-	4,095,477	
Student transportation	3,002,982	244,211	. •	3,247,193	
Food services	31,178	1,699,516	-	1,730,694	
Community services	33,010	61,222	-	94,232	
Capital outlay	#*	1,114,906	212,528	1,327,434	
Total expenditures	35,795,001	6,333,303	212,528	42,340,832	
Excess (deficiency) of revenues over expenditures	943,282	(1,395,969)	(10,414)	(463,101)	
Other financing sources (uses):					
Transfers in	34,383	659,754	10,414	704,551	
Transfers (out)	(670,168)	(34,383)	-	(704,551)	
Total other financing sources (uses)	(635,785)	625,371	10,414	*	
Net change in fund balances	307,497	(770,598)	-	(463,101)	
Fund balances - beginning, as restated (Note 14)	686,194	25,463	-	711,657	
Fund balances - ending	\$ 993,691	\$ (745,135)	s -	\$ 248,556	

HANCOCK COUNTY BOARD OF EDUCATION RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES June 30, 2009

Amounts reported for governmental activities in the statement of activities are different due to:

Net change in fund balances - total governmental funds	\$ (463,101)
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. The effect on net assets is the amount by which capital outlays exceed depreciation in the current period. (Note 7)	
Depreciation expense	(1,040,372)
Capital outlays	1,695,067
Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds, rather they are reported as deferred revenues.	
Taxes receivable [current year \$155,752 less prior year \$453,498]	(281,411)
Food service receivable [current year]	(35,155)
Reimbursement receivable [current year \$1,299,874 less earmarked \$545,852]	754,022
The issuance of long term debt (e.g. bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction however, has any effect on net assets. Also, governmental funds report the effect of issuance costs, premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. This amount is the net effect of these differences in the treatment of long-term debt and related items. (Note 8)	(68,640)
The repayment of the principal of long-term debt (e.g., bonds, leases) consumes the current financial resources of governmental funds. However, such repayment has no effect on net assets. (Note 8)	
Capital leases payable	167,381
Compensated absences are reported as liabilities in the statement of net assets, but are only reported in government funds to the extent they have matured. This is the amount by which compensated absences increased. (Note 8)	
Accrued vacation payable	 (44,030)
Change in net assets of governmental activities	\$ 683,761

HANCOCK COUNTY BOARD OF EDUCATION STATEMENT OF FIDUCIARY NET ASSETS - FIDUCIARY FUNDS For the Year Ended June 30, 2009

		ency Funds
	Scho	ool Activity Funds
ASSETS		
Cash and cash equivalents	\$	811,692
Total assets	\$	811,692
LIABILITIES		
Due to Student Activities	من ومقاله بــــــــــــــــــــــــــــــــــــ	811,692
Total liabilities		811,692

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE BASIC FINANCIAL STATEMENTS

For The Fiscal Year Ended June 30, 2009

Note 1 - Summary of Significant Accounting Policies:

The accompanying financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to local government units. The Governmental Accounting Standards Board (GASB) is the ultimate standard-setting body for state and local governments.

A. Reporting Entity:

The Hancock County Board of Education (the Board) is a corporation created under the authority of West Virginia Code §18-5-1 et seq. and is composed of five members nominated and elected by the voters of the county for four-year terms. The Board is responsible for the supervision and control of the county school board and has the authority, subject to State statutes and the rules and regulations of the State Board, to control and manage all of the public schools and school interests in the county.

GASB Statement No. 14 (as amended by GASB Statement No. 39) establishes the criteria for determining the governmental reporting entity and the component units that should be included within the reporting entity. Under provisions of this statement, the Board is considered to be a primary government, since it is a separate legal entity, has its own elected governing body, and is fiscally independent of other local governments. The Board has no component units, defined by GASB Statement No. 14 (as amended by GASB Statement No. 39) as other legally separate organizations for which the elected board members are financially accountable.

B. Government-wide and Fund Financial Statements:

The Government-wide financial statements (the statement of net assets and the statement of activities) display information about the Board as a whole. These statements include the financial activities of the overall government, except for fiduciary fund activities. Fiduciary funds are reported only in the Statement of Fiduciary Net Assets at the fund financial statement level.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are specifically associated with a function or segment and, therefore, are clearly identifiable to a particular function or segment.

Depreciation expenses for capital assets that can be specifically identified with a function are included in its direct expenses. Depreciation expense for "shared" capital assets (such as a school building that may be used for instructional services, student and instructional staff support services, school administration, and child nutrition services) is distributed proportionally among the various functions. Indirect expense allocations that have been made in the funds have been reversed for the statement of activities. Interest on general long-term debt liabilities is considered an indirect expense and is reported in the Statement of Activities as a separate line.

Program revenues include: grants and contributions that are restricted to meeting the operational or capital requirements of a particular function, restricted state aid, tuition, and other fees and charges paid by students. Revenues that are not considered as program revenues are classified as general revenue and include property taxes, unrestricted state aid, unrestricted investment earnings, gain on sale of capital assets, and federal and state grants not restricted to a specific purpose.

For The Fiscal Year Ended June 30, 2009

The fund financial statements provide information about the individual funds maintained by the Board. All funds maintained by the Board are considered to be major funds for reporting purposes and are presented in individual separate columns.

The funds maintained by the Board are:

General Current Expense Fund: The General Current Expense Fund is the operating fund of the Board and accounts for all revenues and expenditures not encompassed within other funds. All general tax revenues and other receipts that are not allocated by law or contractual agreement to other funds are accounted for in this fund. General operating expenditures and the capital improvement costs that are not paid through other funds are paid from the General Current Expense Fund.

<u>Special Revenue Fund</u>: The Special Revenue Fund is an operating fund of the Board and accounts for all revenues and expenditures attributable to state and federal grants and other revenue sources that are legally restricted to expenditure for specific purposes.

Capital Projects Funds: Capital Projects Funds are used to account for all resources used for the acquisition of capital facilities by the Board. These funds can include: a bond construction fund, used to account for the proceeds from the issuance of general obligation bonds; a permanent improvement fund established under the authority of West Virginia Code §18-9B-14 to account for the proceeds of resources used for the support of various building and permanent improvement projects, and; one or more capital projects funds used to account for the resources used in the construction of a specific capital facility.

Agency Funds: Agency funds are used to account for assets that the Board holds for others in an agency capacity. These include: Regional education service agencies (RESA's) and multi-county vocational centers (MCVC's) for the purpose of providing high quality, cost effective educational programs and to provide vocational training, respectively, in which the county board of education serves as the fiscal agent; school activity funds to account for the assets of the individual schools of the Board, the student clubs, and school support organizations; and may include a scholarship fund to account for contributions and donations made to the Board by a benefactor for the purpose of providing scholarships for graduates of the county school Board.

C. Measurement Focus and Basis of Accounting:

The Government-wide statements (Statement of Net Assets and the Statement of Activities) were prepared using the economic resources measurement focus and the full accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows are received. Revenues and expenses resulting from exchange and exchange-like transactions are recognized when the exchange takes place; revenues and expenses resulting from non-exchange transactions, such as property taxes, federal and state grants, state aid to schools, and donations, are recognized in accordance with the requirements of GASB Statement No. 33. Property taxes are recognized in the fiscal year for which the taxes are levied; state aid to schools is recognized in the year for which the legislative appropriation is made; and grants and donations are recognized in the fiscal year in which all eligibility requirements have been satisfied.

For The Fiscal Year Ended June 30, 2009

The governmental fund financial statements were prepared using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to pay liabilities of the current period. The Board considers all revenues available if they are collectible within 30 days after year-end. Expenditures are recorded generally when the related fund liability is incurred, except for unmatured principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing resources.

Fiduciary funds are custodial in nature (assets equal liabilities) and do not present results of operations or have a measurement focus. Agency funds are accounted for using the accrual basis of accounting. These funds are used to account for assets that the Board holds for others in an agency capacity.

D. Encumbrances:

Encumbrance accounting is employed in governmental funds. Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of the formal budgetary process. Encumbrances outstanding at year-end are reported as reservations of fund balances since they do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year.

E. Cash and Investments:

Cash on hand and deposits with banking institutions either in checking or savings accounts are presented as cash in the accompanying financial statements. Such deposits at June 30, 2009 were entirely covered by federal depository insurance or secured by adequate bond or other securities held by the banking institution in the Board's name.

Boards of education are authorized by statute to provide excess funds to either the State Consolidated Investment Pool or the Municipal Bond Commission for investment purposes, or to invest such funds in the following classes of securities: Obligations of the United States or any agency thereof, certificates of deposit and repurchase agreements. Funds of the Board are temporarily invested by the West Virginia Municipal Bond Commission specifically on behalf of the Board as part of the Commission's consolidated investment pool. These investments are considered cash and cash equivalents due to their liquid nature.

Investments of the Board at June 30, 2009 consisted of the following:

	Carrying Amount	E	Book Balance
Municipal Bond Commission	\$ 1,027,300	\$	1,027,300

Money market/sweep accounts with financial institutions were entirely covered by federal deposit insurance or secured by adequate bond or other securities held by the banking institution in the Board's name.

For The Fiscal Year Ended June 30, 2009

Custodial credit risk is the risk that in the event of a bank failure, the Board's deposits may not be returned to it. The Board has limited its custodial credit risk by assuring that these deposits with financial institutions are adequately collateralized.

Interest rate risk is the risk that changes in interest rates demanded by the market will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. One of the ways that the Board manages its exposure to interest rate risk for investments is by purchasing short-term investments that are less affected by changes in market rates as compared to long-term investments.

At June 30, 2009, the Board has \$1,027,300 invested with the West Virginia Municipal Bond Commission. Pool investments of the Municipal Bond Commission are held in a Government Money Market with the WV Board of Treasury Investments Consolidated Fund.

Credit Risk: Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations.

Exposure to credit risk in the Government Money Market Pool is limited to U.S. Treasury issues and U.S. government agency issues and repurchase agreements collateralized by U.S. Treasury issues and U.S. government agency issues. The pool must have at least 15% of its assets in U.S. Treasury issues.

The Board's investments in the Consolidated Fund pool and related accounts have not been rated for credit risk by any organization.

Concentration of Credit Risk: Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investments in a single issuer. West Virginia statutes prohibit the Consolidated Fund Pool from investing more than 5% of its assets in securities issued by a single private corporation or association. At June 30, 2009, the pool did not have investments in any one private corporation or association that represented more than 5% of assets.

Interest Rate Risk: Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The overall weighted average maturity of the investments of the Government Money Market Pool within the Consolidated Fund Pool cannot exceed 60 days. The maturity of floating rate notes is assumed to be the next interest rate reset date.

F. Food Service Receivables:

The accounts receivable for the Food Service Program has not been reduced by uncollectible accounts.

G. Interfund Receivables and Payables:

Activities between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e., current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans).

Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

For The Fiscal Year Ended June 30, 2009

H. Capital Assets:

Capital assets, which include land, buildings and improvements, furniture and equipment, and vehicles, are reported in the Government-wide financial statements. The Board defines capital assets as assets with an initial, individual cost of \$5,000 or more for land, furniture, vehicles, and equipment and \$100,000 for buildings with an estimated useful life in excess of two years. Purchased or constructed capital assets are reported at cost or estimated historical cost. Donated capital assets are recorded at estimated fair value at the date of donation. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extended assets' lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase is not capitalized.

Buildings and improvements, furniture and equipment, and vehicles of the Board are depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings	50
Site Improvements	20 - 35
Furniture and Equipment	5 ÷ 20
Vehicles	8 - 12

I. Compensated Absences and Special Termination Benefits:

Compensated Absences:

It is the Board's policy to permit employees to accumulate earned but unused vacation and sick pay benefits. Vacation and sick benefits can be accumulated up to unlimited days, respectively, and carried forward to the subsequent fiscal year. All vacation pay is accrued when incurred. In lieu of a cash payment at retirement, an employee can elect to use accumulated annual leave toward their post-employment health care insurance premium. Employees also earn sick leave benefits which accumulate but do not vest.

Special Termination Benefits:

When separated from employment, employees' sick leave benefits are considered ended and no reimbursement is provided. However, upon retirement, an employee's accumulated annual sick leave may be converted to a greater retirement benefit or payment of the retired employee's health insurance premiums. The cost of the increased retirement option is the liability of the West Virginia Consolidated Public Retirement Board.

The payment of health insurance premiums must be absorbed by the last agency employing the retiree. Historically, the West Virginia State Legislature appropriates funds that are used by the Board to pay for its obligations for this special termination benefit. Because such appropriations are at the discretion of the Legislature and not guaranteed, the liability for sick leave convertible to health insurance premiums using the vesting method is recorded in the Board's financial statements.

For The Fiscal Year Ended June 30, 2009

J. Long-term Obligations:

In the Government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, statement of net assets. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures. Capital lease payments are reported in the general current expense or special revenue fund.

K. Restricted Net Assets:

For the Government-wide statement of net assets, net assets are reported as restricted when constraints placed on net asset use are either externally imposed by creditors (such as debt covenants), grantors, contributors, or laws or regulations of other governments, or imposed by law through constitutional provisions or enabling legislation.

L. Fund Equity:

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Designations of fund balance represent that portion of fund equity committed by official Board action prior to June 30 of each year for specific purposes. Said specific purposes and amounts are recorded in the official Board minutes of the fiscal year ended June 30, 2009.

M. Elimination and Reclassifications:

In the process of aggregating data for the statement of net assets and the statement of activities, some amounts reported as interfund activity and balances in the funds were eliminated or reclassified. Interfund receivables and payables were eliminated to minimize the "grossing up" effect on assets and liabilities within the governmental activities column.

N. Accounting Estimates:

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statement and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

O. Restricted Resources:

Restricted resources should be applied first when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.

For The Fiscal Year Ended June 30, 2009

Note 2 - Stewardship, Compliance and Accountability:

A. Deficiencies in Net Changes in Fund Balances and Deficit Fund Balances:

The following funds had deficiencies in net changes in fund balances for the year ended June 30, 2009:

<u>Fund</u> <u>Amount</u>

Special Revenue Fund \$ (770,598)

Funds sufficient to provide for the excess expenditures were made available from other sources within each fund and the deficiency had no impact on the financial results of the Funds.

The following funds have a deficit fund balance at June 30, 2009:

Fund Amount

Special Revenue Fund \$ (745,135)

The Special Revenue Fund incurred a deficit fund balance because not all revenue has been received for expenses that have been paid in some projects. This fund will net to zero when all projects are complete.

B. Budgets and Budgetary Accounting:

All boards of education within West Virginia are required by statute to prepare annual budgets and levy rate estimates on prescribed forms and submit these for approval. Budgets are presented on the modified accrual basis of accounting for all governmental funds but do not include amounts for other post employment benefits billed by PEIA beyond the retiree subsidy (pay-as-you-go) amount because only the retiree subsidy amounts are required to be remitted according to WVC 5-16d-6(e). Budgets are not adopted for agency funds. The following procedures are followed in preparing the annual budget:

- 1. Pursuant to State statute, the Board is required to hold a meeting or meetings between the seventh and twenty-eighth days of March to ascertain its financial condition and to determine the amount that is to be raised from the levy of taxes for the fiscal year commencing July 1. The Board adjourns the meeting and submits its Schedule of Proposed Levy Rates to the State Auditor's Office for approval. The Board then reconvenes its meeting on the third Tuesday of April to formally lay the approved levy.
- 2. The Board is also required to submit its proposed budget for the subsequent year to the State Board of Education for approval by the date established in the budget calendar. The Board is also required to hold a public hearing on the proposed budget before it is submitted for approval. The proposed budget must be made available for public inspection for at least 10 days before the public hearing is held.

Revisions to the budget are authorized only with the prior written approval of the State Board of Education.

For The Fiscal Year Ended June 30, 2009

Note 3 - Change in Accounting Policy:

The Board changed its method of accounting for the following items in order to comply with accounting principles generally accepted in the United States of America:

GASB Statement No. 16 requires, Accounting for Compensated Absence. For the fiscal year ended June 30, 2008, the Board included in compensated absences an estimated amount for accrued personal leave using the guidance provided in this statement. Subsequent to the end of the year, the State Auditor has determined that accrued sick leave should not be considered a termination benefit; therefore the liability associated with accrued sick leave is not included as compensated absences for the fiscal year ended June 30, 2009.

GASB Statement No. 45 requires, Accounting and Financial Reporting by Employers for Post-Employment Benefits other than Pensions. The Board implemented GASB Statement No. 45 for the year ended June 30, 2009. In addition to pensions, many state and local governmental employers provide other postemployment benefits (OPEB) as part of the total compensation offered to attract and retain the services of qualified employees. OPEB includes postemployment healthcare, as well as other forms of postemployment benefits when provided separately from a pension plan. This statement establishes standards for the measurement, recognition, and display of OPEB expenditures and related liabilities, note disclosures, and, if applicable required supplementary information (RSI) in the financial reports of state and local governmental employers.

As a cost-sharing employers, the Board is required to recognize OPEB expenditures for the contractually required contributions to the plan on the modified accrual basis of accounting. Therefore, the unpaid OPEB at June 30 will be reported on the Balance Sheet as "Other postemployment benefit payable".

In the prior year, an estimate of accrued sick leave liability was recorded using guidance from GASB Statement No. 16. An adjustment was made to the beginning net assets to remove that balance from the Government-wide Statement of Net Assets.

Also in the prior year, the Board was billed for other postemployment benefits that were not paid. This current liability was not reported in the prior year because GASB Statement No. 45 implementation was not required for the Board until the fiscal year ending June 30, 2009. An adjustment was made to the beginning balance and beginning net assets to add that balance to the figures previously reported.

Restatement of Net Assets is as follows:

Total Net Assets – July 1, 2008, as previously reported

\$ 24,270,981

Less: Current liability – other postemployment benefits Payable attributable to fiscal year ended 6-30-08

(262.390)

Total Net Assets - July 1, 2008, adjusted due to change in accounting

\$ 24,008,591

For The Fiscal Year Ended June 30, 2009

Note 4 - Risk Management:

The Board is exposed to various risks or loss related to torts, theft, or damage to and destruction of assets, errors and omissions, injuries to employees, and natural disasters. The Board, pursuant to the provisions of State law, participates in the following risk management programs administered by the State.

Board of Risk and Insurance Management (BRIM): The Board participates in the West Virginia Board of Risk and Insurance Management, a common risk insurance pool for all State agencies, component units, boards of education and other local governmental agencies who wish to participate. The Board pays an annual premium to BRIM for its general insurance coverage. Fund underwriting and rate setting policies are established by BRIM. The cost of all coverage as determined by BRIM is paid by the participants. The BRIM risk pool retains the risk of the first \$2 million per property event and purchases excess insurance on losses above that level. BRIM has \$1 million per occurrence coverage maximum on all third-party liability claims.

Public Employees Insurance Agency (PEIA): The Board provides employees health and basic life insurance benefits through the Public Employees Insurance Agency. PEIA was established by the State of West Virginia to provide a program of health and life insurance for employees of State agencies, institutions of higher learning, boards of education, and component units of the State. In addition, local governmental agencies and certain charitable and public service organizations may request to be covered. PEIA provides a general employee benefit insurance program which includes hospital, surgical, major medical, prescription drug and basic life and accidental death. Fund underwriting and rate setting policies are established by the PEIA Finance Board. The cost of all coverage as determined by the Finance Board is paid by the participants.

Coverage under these programs is limited to \$1 million lifetime for health and \$10,000 of life insurance coverage. Members may purchase up to an additional \$500,000 of life insurance coverage. Premiums are established by PEIA and are paid monthly. The PEIA risk pool retains the risk for the health and prescription features of its indemnity plan, has fully transferred the risks of coverage of the Managed Care Organization (MCO) Plan to the plan provider and has transferred risk of life insurance coverage to a third party insurer.

Workers Compensation Fund (WCF): West Virginia has a single private insurance company, BrickStreet Insurance, which provides workers' compensation coverage to all employers in the State. Other private insurance companies can begin to offer coverage to private-sector employers beginning July 1, 2009 and to government employers July 1, 2012. Nearly every employer in the State, including all boards of education, which have a payroll, must have coverage. The cost of all coverage, as determined by BrickStreet, is paid by the employers.

The WCF risk pool retains the risk related to the compensation of injured employees under the program.

Note 5 - Property Taxes:

All property in the State is classified as follows for ad valorem tax purposes:

Class I - All tangible personal property employed exclusively in agriculture, including horticulture and grazing; all products of agriculture, including livestock, while owned by the producer.

For The Fiscal Year Ended June 30, 2009

- Class II All property owned, used and occupied by the owner exclusively for residential purposes; all farms, including land used for horticulture and grazing, occupied and cultivated by their owners or bona fide tenants.
- Class III All real and personal property situated outside of municipalities, exclusive of Class I and II property.
- Class IV All real and personal property situated inside of municipalities, exclusive of Class I and II property.

According to West Virginia Code §11-8-6c, the maximum rates that county boards of education may impose on the various classes of property are: Class I - 22.95¢ per \$100 of assessed valuation; Class II - 45.90¢ per \$100 of assessed valuation; Class III - 91.80¢ per \$100 of assessed valuation; and Class IV - 91.80¢ per \$100 of assessed valuation.

Pursuant to West Virginia Code §11-8-6f, however, the rates of levy for county boards are to be reduced uniformly statewide and proportionately for all classes of property so that the total statewide property tax revenues to be realized from the regular levy tax collections for the forthcoming year will not increase by more than one percent of the current year's projected property tax revenues, exclusive of increases due to new construction, improvements to existing real property, or newly acquired personal property, unless the State Legislature holds a public hearing. The amounts to be paid to the Assessor's Valuation Fund are also to be excluded from the calculation.

County boards of education are also authorized to impose an additional (excess) levy not to extend beyond five years if approved by at least a majority of the voters. The rates of levy cannot exceed the maximum rates specified above and must be proportional for all classes of property.

The assessed valuations and levy rates levied by the Board per \$100 of assessed valuation for each class of property for the fiscal year ended June 30, 2009 were:

Class of Property			Current Expense	Excess Levy
Class I	\$	_	19.40¢	20.65¢
Class II	\$	351,468,280	38.80¢	41.30¢
Class III	\$	308,567,227	77.60¢	82.60¢
Class IV	\$	262,227,929	77.60¢	82.60¢

The taxes on real property and the interest and other charges upon such taxes attach as an enforceable lien on the first day of July each year. There is no lien denominated as such on personal property. However, statutes provide that the sheriff of a county may distrain for delinquent taxes any goods and chattels belonging to a person assessed. All current taxes assessed on real and personal property may be paid in two installments. The first installment is payable on September first of the year for which the assessment is made, and becomes delinquent on October first, and the second installment is payable on the first day of the following March and becomes delinquent on April first.

Taxes paid on or before the date when they are payable, including both first and second installments, are subject to a discount of two and one-half percent. If taxes are not paid on or before the date on which they

For The Fiscal Year Ended June 30, 2009

become delinquent, including both first and second installments, interest at the rate of nine percent per annum is added from the date they become delinquent until paid.

Taxes Receivable:

Taxes receivable as of year end for the Board's funds are as follows:

	9	General Fund
Taxes Receivable	\$	155,752
Less: allowance for uncollectible		-0-
Net total taxes receivable	\$_	155,752

Normal tax collections are received at approximately 96% of taxes levied. This year collections were higher than normal leaving no allowance for uncollectible.

Note 6 - Excess Levy:

The Board had an excess levy in effect during the fiscal year ended June 30, 2008. The levy was authorized by the voters of the county at an election held on November 15, 2003 for the fiscal years ended June 30, 2005 through June 30, 2009 to provide funds for the following purposes:

To provide instructional materials, supplies, equipment and classroom furniture; improve access to technology; provide capital improvement; maintain duplicating equipment & supplies; support the Hancock County WVU Extension service; legal & medical services; fund homebound, occupational therapy, physical therapy, and psychological services to Hancock County Schools and parochial students; hearing & vision impaired services; provide services within the autism spectrum; provide security improvements; maintain and replace roofs and HVAC on Board owned facilities; and to provide toward employee salaries/benefits/fixed charges.

A total of \$6,314,673.63 was received by the Board from the excess levy during the fiscal year ended June 30, 2009.

For The Fiscal Year Ended June 30, 2009

Note 7 - Capital Assets:

Capital asset balances and activity for the year ended June 30, 2009 is as follows:

	Beginning Balance	Additions	Disposals	Ending Balance
Capital assets, non-depreciable:				
Land Construction in progress Total non-depreciable	\$1,710,516	1,327,435	<u></u>	\$1,710,516 1,327,435
capital assets	1,710,516	1,327,435	-	3,037,951
Capital assets, depreciable:				
Long-term site improvements	1,324,011	-	-	1,324,011
Buildings and improvements	33,111,507	•	-	33,111,507
Furniture and equipment	9,809,762	107,802	-	9,917,564
Vehicles	4,017,919	259,830	-	4,277,749
Total depreciable capital assets	48,263,199	367,632	-	48,630,831
Less accumulated depreciation for:				
Long-term site improvements	(1,276,749)	(19,974)	-	(1,296,723)
Buildings and improvements	(13,406,775)	(634,470)	-	(14,041,245)
Furniture and equipment	(9,254,565)	(139,248)	-	(9,393,813)
Vehicles Total accumulated	(2,510,068)	(246,680)	-	(2,756,748)
depreciation	(26,448,157)	(1,040,372)	-	(27,488,529)
Total depreciable capital assets, net	21,815,042	(672,740)	_	21,142,302
Total capital assets, net	\$23,525,558	\$ 654,695	\$ -	\$ 24,180,253

For The Fiscal Year Ended June 30, 2009

Depreciation expense was charged to functions/programs of the governmental activities as follows:

Instruction	\$	783,428
Supporting Services: Operation/ maintenance of		
facilities		33,067
Transportation		204,604
Food services		18,737
Total Depreciation expense -	e	1.039.836
governmental activities	<u>.p</u>	1,02,020

Construction in Progress

The government has active construction projects as of June 30, 2009. At year end the projects and amounts for governmental activities spent-to-date are as follows:

Project	<u>Funded</u>	Spent to <u>Date</u>
HVAC upgrade at Weir High School Complex Athletic Complex upgrade at Oak Glen High School School Building Authority school access safety upgrades	State and Local State State and Local	\$ 212,528 829,613 285,294
		\$ <u>1,327,435</u>

Note 8 - Long-term Debt:

Long-term liability activity for the year ended June 30, 2009 is as follows:

	Ве	alance, ginning of Year	<u>Ad</u>	<u>ditions</u>	<u>Deductions</u>	Balance, End of Year	Amounts due within one year	Amounts due past one year
Compensated absences Capital leases payable	\$	248,688 296.501	\$	44,030 68,641	\$ 167,381	\$ 292,718 197,761	\$ 110,923	\$292,718 86,838
Total Long-term liabilities	\$	545,189	_\$_	112,671	\$ 167,381	\$ 490,479	\$ 110,923	<u>\$ 379,556</u>

Note 9 - Leases:

The Board has entered into various lease/purchase agreements with the private sector, primarily for equipment. These agreements, accounted for as capital leases, are for various terms. While these agreements contain clauses indicating that their continuation is subject to continuing appropriation by the Legislature, these leases are accounted for as capital leases and are considered noncancelable for financial reporting purposes.

For The Fiscal Year Ended June 30, 2009

Other leases, principally for equipment, are classified as operating leases with the lease payments recorded as expenditures during the life of the lease. The Hancock County Board of Education had no operating lease expenditures for the fiscal year ended June 30, 2009.

The Board has entered into a capital lease-purchase agreement pursuant to the provisions of West Virginia Code §18-5-9a whereby energy conservation equipment has been installed in Oak Glen Middle School. The equipment is leased from Sun Trust Leasing, Inc. for a period of seven years beginning April 1, 2004. At the end of the contract period, the Board will have ownership of the equipment. By contract, the Board has the option of discontinuing the lease purchase and returning the equipment at the end of any fiscal year, if funding for the lease payments for the next fiscal year is not available. The future minimum lease obligations as of June 30, 2009 are as follows.

Present value of minimum lease payments	\$	145,196
Less: Amount representing interest		(4,891)
2011		64,323
2010	\$	85,764
<u>Year</u>		

The Board has entered into a capital lease-purchase agreement pursuant to the provisions of West Virginia Code §18-5-9a whereby copier equipment has been installed in Broadview, two (2) at Weir Middle and Weir High. The equipment is leased from Wesbanco for a period of three years beginning August 13, 2008. At the end of the contract period, the Board will have ownership of the equipment. By contract, the Board has the option of discontinuing the lease purchase and returning the equipment at the end of any fiscal year, if funding for the lease payments for the next fiscal year is not available. The future minimum lease obligations as of June 30, 2009, are as follows.

<u>Year</u>		
2010	\$	25,159
2011		25,159
2012		4,193
Less: Amount representing interest	***************************************	(2,580)
Present value of minimum lease payments	\$	51,931

Note 10 - Employee Retirement System:

All full-time board of education employees are required to participate in one of two statewide, cost-sharing, multiple-employer retirement benefit plans, the Teachers' Defined Benefit Retirement System or the Teachers' Defined Contribution Retirement System. For the year ended June 30, 2009, the Board's total payroll for all employees was \$25,496,131 and the payroll was \$24,365,219 for employees covered by the two retirement programs.

Of the total amount appropriated by the State for retirement, the portion equal to the employers' average required contribution rate for both the defined benefit and the defined contribution plans is considered to be

For The Fiscal Year Ended June 30, 2009

the employers' contribution for the current cash flow requirements for personnel funded under the Public School Support Program and is reflected as State revenue (Contributions For/On Behalf of the LEA) in the Board's financial statements. The balance is considered to be the State's contribution toward the past service unfunded liability and is not included either as revenue or expenditure in the Board's financial statements.

Trend Information: Ten-year historical trend information relating to the accumulation of assets and the unfunded liability of both plans is available from the Consolidated Public Retirement Board.

Conversion of leave for post-retirement: Upon retirement, an employee's vacation and sick leave may be converted to a greater retirement benefit or payment of health insurance premiums. The cost of the increased retirement benefit or payment of health insurance premiums must be absorbed by the last agency employing the retiree.

Teachers' Defined Benefit Retirement System:

Plan Description: The Teachers' Defined Benefit Retirement System is a cost-sharing, multiple-employer public employee defined benefit retirement system which was established on July 1, 1941 and was closed for new members on July 1, 1991. Beginning July 1, 2005, all new employees become members of this plan. To qualify for full benefits, a member must be age 60 with at least five years of credited service, or be age 55 with at least 30 years of credited service or any age with at least 35 years of credited service. A member may receive a disability benefit after completing ten years of service, if the member is disabled for six months, unable to perform his or her regular occupation, and the Retirement Board expects the disability to be permanent.

Upon retirement, members select one of five benefit payment options. If a member terminates employment with at least five years of credited service, he may freeze his membership until he qualifies for retirement or he may withdraw his contributions from the plan. The employers' contributions remain with the plan. Retirement benefits are based on two percent of the average member's five highest fiscal years of total earnings from covered employment during the member's last 15 years of service.

The normal form of benefit is a single life annuity paid monthly, in an amount equal to 2% of the final average salary times years of credited service. Other forms of benefits may be elected subject to actuarial reduction: Cash Refund Annuity, 50% or 100% Contingent Joint and Survivor Annuities, and ten year Certain and Life Annuities. Pre-retirement death benefits are paid to the spouse of a deceased member who had attained the age 50 and completed 25 years of credited service. The annuity payment is computed as if the member had retired on the date of death with a 100% Joint and Survivor pension. If the member's age and service are less than that required, the sum of the accumulated member's and employer contributions with interest is paid to the member's beneficiary or estate.

Funding Status: According to the 2008 Actuarial Valuation Report of the Teachers' Retirement System, the plan's actuarial unfunded liability was \$ 4.1 billion as of July 1, 2008.

Contribution Requirements and Payments Made: This is a fully qualified plan by the Internal Revenue Service. Therefore, all employee contributions are tax deferred. Participants contribute 6% of their gross compensation and the board of education contributes 15% of covered members' gross compensation to the retirement plan, for a total of 21% annually for those who became members prior to July 1, 1991. Participants who became members after July 1, 2005 contribute 6% of their gross compensation and the board of education contributes 7.5% of covered members' gross compensation to the retirement plan, for a total of 13.5% annually.

For The Fiscal Year Ended June 30, 2009

The employers' contributions are derived from State appropriations and county funds. Federally funded grant programs provide the funding for the employer contributions for salaries paid from federal grants.

The required contributions for the year ended June 30, 2009 and the two previous years were:

Year ended June 30	<u>2007 </u>	2008	<u>2009</u>
Required contributions As a % of current year	\$ 327,068,000	\$345,412,000	\$404,547,000
covered payroll	23.50 %	23.30 %	25.89%

Total payments reflected in the Board's financial statements to the defined benefit plan for the fiscal year ended June 30, 2009 were:

Employees' contributions (6%)	\$ 1,332,150
Employer's contributions (15% or 7.5%)	 2,477,394
Total contributions	\$ 3,809,544

Teachers' Defined Contribution Retirement System:

Plan Description: All Board employees hired after July 1, 1991 but before July 1, 2005, participated in the Teachers' Defined Contribution Retirement System. Employees in the Teachers' Defined Benefit System could freeze their benefits in the old plan and become a member of this plan. Members with less than five years of service in the old defined benefit plan could change to this plan and transfer the funds that were deposited in the old plan to this plan. Once a member transferred to the defined contribution plan, the member was not allowed to rejoin the defined benefit plan.

Effective July 1, 2005, the Teachers' Defined Contribution Plan was closed to new membership. All employees hired after that date became members of the Teachers' Defined Benefit Retirement System which was reopened for participation on July 1, 2005. Existing members of the Teachers' Defined Contribution Plan were given the option to transfer membership to the Teachers' Defined Benefit Retirement System during the fiscal year ending June 30, 2009. To earn full benefits at retirement, however, members electing to transfer are required to contribute the 1.5% difference between the two plans' employee contribution rates.

A unique feature of the Teachers' Defined Contribution Plan is that each member chooses the investment options and may make changes at the beginning of each calendar quarter. Seven investment options are provided from which a participant may choose in multiples of five percent. The investment options are: Vanguard Money Market Fund, Bond Fund of America, Franklin Income Fund, Fidelity Growth Opportunities, Washington Mutual Investors, Federated Max-Cap, and Valic Individually Allocated Fixed Annuity.

Employees are eligible to participate from the date of employment. Employee contributions are fully vested, and employer contributions and earnings vest with the member as follows: one-third after 6 years, two-thirds after 9 years, and 100% after 12 years. The member is fully vested at death or disability. As of June 30, 2008, this plan had approximately \$946.7 million in net assets for pension benefits. Retirement or disability benefits are based solely on the accumulation of dollars in the member's individual account at the time of retirement. The accounting administration of the Plan is the responsibility of Milliman & Robertson, an independent third party administrator.

For The Fiscal Year Ended June 30, 2009

Funding Status: There is no unfunded liability for a defined contribution plan since a member's total maximum lifetime benefit is limited to that which has accumulated in the member's account from employee and employer contributions and all investment earnings thereon. Any forfeited, unvested employer contributions are, by statute, to be transferred to the Teachers' Defined Benefit Retirement System.

Contribution Requirements and Payments Made: This is a fully-qualified plan by the Internal Revenue Service. Therefore, all employee contributions are tax deferred. Participants contribute 4.5% of their gross salary and the board of education contributes 7.5% of covered members' gross compensation to the retirement plan, for a total of 12% annually.

Total payments reflected in the Board's financial statements to the defined contribution plan for the fiscal year ended June 30, 2009 were:

Employees' contributions (4.5%) Employer's contributions (7.5%)	\$ 97,327 162,211
Total contributions	\$ 259,538

The Consolidated Public Employees Retirement Board issues a publicly available financial report that includes financial statements and required supplementary information. That information may be obtained by writing to the Public Employees Retirement System, 4101 MacCorkle Ave. S.E., Charleston, WV 25304-1636.

Note 11. Post-Employment Benefits Other Than Pension:

The Governmental Accounting Standards Board (GASB) issued Statement No. 45 in 2004 to establish standards for the measurement, recognition, and reporting of Other Post Employment Benefits (OPEB) expenses/expenditures and related liabilities.

Other post employment benefits in West Virginia consist mainly of: Allowing employees hired prior to July 1, 2001 to convert unused annual, sick and/or personal leave to paid-up PEIA premiums, and allowing retirees to purchase PEIA health insurance at a deeply discounted premium rate.

As a result, the West Virginia Legislature passed HB 4654 in 2006 adding a new article to the State Code, WVC §5-16D-1 et seq. The article, among other things: Created the West Virginia Retiree Health Benefit Trust Fund (RHBT) for the purpose of administering retiree post-employment health care benefits; vested the responsibility for operation of the fund with the PEIA Board of Finance; required the Board of Finance to adopt actuarial assumptions and determine the annual required contribution (ARC) rates sufficient to maintain the fund in accordance with the state plan for other post-employment benefits; required the board to have an actuarial valuation conducted at least biannually; required the Board of Finance to set the total ARC sufficient to maintain the fund in an actuarially sound manner in accordance with generally accepted accounting principles; required the Board of Finance to bill all participating employers their share of the ARC, and; required participating employers to make annual contributions to the fund in, at least, the amount of the minimum annual employer premium payment rates established by the board.

Upon retirement, the public employees who elected to participate in the PEIA insurance plan are eligible to credit unused sick or annual leave towards insurance coverage, according to the following formulas:

For The Fiscal Year Ended June 30, 2009

Retired employees who elected to participate in the PEIA insurance plan prior to July 1, 1988: those without dependents may credit two days of unused sick or annual leave towards one month of insurance coverage; the retirees with dependents may credit three days of unused sick or annual leave towards one month of insurance coverage.

Retired employees who elected to participate in the PEIA insurance plan between July 1, 1988 and June 30, 2001: those without dependents may credit two days of unused sick or annual leave towards one-half month of insurance coverage; the retirees with dependents may credit three days of unused sick or annual leave towards one-half month of insurance coverage.

Employees hired on or after July 1, 2001 may not apply any unused sick or annual leave towards the cost of health insurance premiums.

In the alternative to applying unused sick and annual leave to health insurance, all employees participating in the PEIA insurance plan, and who are members of the State Teachers' Defined Benefit Retirement System, may apply unused sick and annual leave towards an increase in the employee's retirement benefits with those days constituting additional credited service. The cost for the employees who elect this option is reflected as a liability of the State Teacher's Retirement System and not included as an OPEB obligation.

All retired employees are eligible to obtain health insurance coverage through PEIA with the retired employee's premium contribution established by the Finance Board. The Finance Board has allowed retirees to obtain health insurance coverage at essentially the same premium rate as active employees with the difference between the retirees' premium contributions and the cost of providing health care to retirees subsidized by the State. It is this subsidy that has created the major portion of the OPEB actuarial liability.

Based on the latest actuarial evaluation of the RHBT, the annual required contribution (ARC) for the State and the boards of education for the fiscal year ended June 30, 2009 was determined to be:

	<u>Total</u>	Amount per Policy Holder
Total Annual Required Contribution	\$ 338,166,000	\$ 4,659
Pay as you go - Retiree Subsidy	(143,448,760)	(1,976)
Appropriation: Excess Lottery Funds State General Revenue Transfer State Debt Reduction Fund (Table Games)	(46,600,000) (30,730,000) (13,800,000)	(744) (491) (220)
Remaining Annual Required Contribution	103,587,240	1,228

For The Fiscal Year Ended June 30, 2009

The following summarizes the Board's OPEB activity:

Total OPEB expense

\$ 431,144

Less:

State appropriation allocation Pay as you go payments and other credits

OPEB at year end

\$<u>431,144</u>

Portion attributable to personnel funded through the Public School Support Program (PSSP)

431,144

Portion attributable to remaining personnel

0

It is the opinion of the Board that the State is constitutionally required to appropriate sufficient funds to cover the cost of the ARC for personnel funded through the Public School Support Program (PSSP); however, no additional funds have been appropriated for this purpose as of the date of this report. Furthermore, the Board has elected, pursuant to the provisions of WVC § 5-16D-6, not to remit to the RHBT any amount in excess of the minimum annual required premium payment.

Note 12. Payments on Behalf:

The Board may receive commitments or payments made by the State or an intermediate governmental jurisdiction for the benefit of the Board or contributions of equipment or supplies. Such revenue includes the payment to a pension fund by the State or an intermediate unit on behalf of the Board's employees for services rendered to the Board. The revenues recorded as Payments on Behalf of the Board are as follows:

Retirement allocation by the State (03911)

\$2,127,431

Note 13 - Pending Litigation:

The Board is involved in a number of legal proceedings and claims, involving students, employees and citizens who have sued the Board for damages. While it is not possible to determine the ultimate outcome of any lawsuit with certainty, management believes that the ultimate outcome will not have a material adverse effect on the financial position of the Board. The Board's insurance through the State Board of Risk and Insurance Management appears adequate to fully cover any potential liability.

For The Fiscal Year Ended June 30, 2009

Note 14 - Restatement of Beginning Fund Balance:

The fund balance at the beginning of the year of the following fund required restatement:

	(General Current Expense Fund
Fund Balance at June 30, 2008, as previously stated	\$	806,834
Adjustment for OPEB Adjustment for Capital Leases		(262,389) 141,749
Fund Balance at June 30, 2008, Restated	\$	686,194

Note 15 - Commitments, Contingencies and Subsequent Events:

During the fiscal year ended June 30, 2009, the Board began pursuing legal action against the State of West Virginia to seek legislative funding through the Public School Support Program to offset the costs of providing other postemployment benefits to employees otherwise funding through the Program. If successful, the Board would receive funding sufficient to satisfy the current liability entitled "other postemployment benefits payable - state aid eligible employees" on the accompanying financial statement and to pay any future amounts billed by PEIA for state aid eligible employees.

Note 16 - Interfund Balances and Transfers

The composition of interfund balances as of June 30, 2009 is as follows:

Due to/from other funds:

Receivable Fund	Payable Fund	<u>Amount</u>
General Current Expense	Special Revenue Fund	\$ <u>564,174</u>
Interfund Transfers:		
Transferred to:	Transferred from:	Amount
General Current Expense	Special Revenue	\$ 34,383
Special Revenue	General Current Expense	659,754
Capital Projects	General Current Expense	10 414

During the year ended June 30, 2009, the Special Revenue Fund transferred \$34,383 to the General Current Expense Fund for indirect costs; General Current Expense Fund transferred \$659,754 to the Special Revenue Fund for food service and academic field trip program; the General Current Expense Fund transferred \$10,414 to the Capital Projects Fund to eliminate a deficit balance.

For The Fiscal Year Ended June 30, 2009

Note 17 - Major Sources of Revenue:

The largest single source of revenue received by the Board is state aid funds through the Public School Support Program. In addition, the Board receives financial assistance from federal and state governments in the form of grants. The disbursement of funds received under these programs generally require compliance with terms and conditions specified in the grant agreements and is subject to audit by the Board's independent auditor and state and federal regulatory agencies. Any disallowed claims resulting from such audits could become a liability of the general fund or other applicable fund. Based on prior experience, the Board believes such disallowance, if any, would be immaterial.

REQUIRED SUPPLEMENTARY INFORMATION

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - GENERAL FUND FOR THE YEAR ENDED JUNE 30, 2009

Revenues: Property taxes Other Local sources State sources Federal sources	Original \$ 11,900,334	Final \$ 11,965,334	Amounts \$ 12,186,852	Basis	(Unfavorable) \$ 221,518 (1,896)
Property taxes Other Local sources State sources	293,500 22,265,218 305,000	313,224 22,265,218	311,328 23,264,429	-	
Other Local sources State sources	293,500 22,265,218 305,000	313,224 22,265,218	311,328 23,264,429	-	
Other Local sources State sources	293,500 22,265,218 305,000	22,265,218	23,264,429	(001 871)	(1.896)
State sources	305,000			(001 071)	•
Federal sources		805,000		(921,871)	77,340
t odetar sources		-	975,674	-	170,674
Miscellaneous sources	04 764 060		-	-	
Total revenues	34,764,052	35,348,776	36,738,283	(921,871)	467,637
Expenditures:					
Instruction	20,548,918	21,339,226	22,061,001	(731,845)	10,070
Supporting services:					-
Students	1,072,875	1,072,875	1,069,431	(30,638)	34,082
Instructional staff	334,035	359,183	378,433	(22,435)	3,185
Central administration	1,658,616	1,883,616	1,863,349	(43,425)	63,692
School administration	2,431,632	2,432,504	2,457,714	(77,542)	52,332
Business	799,099	799,099	813,930	(21,159)	
Operation and maintenance of facilities	4,479,954	4,330,253	4,083,973	(69,592)	
Student transportation	3,139,094	3,067,339	3,002,982	(65,201)	
Food services	-	3,000	31,178	(28,789)	611
Community services	33,010	33,010	33,010	-	-
Capital outlay		415,000	_		415,000
Total expenditures	34,497,233	35,735,105	35,795,001	(1,090,626)	1,030,730
Excess (deficiency) of revenues over				160 855	1 400 2/7
expenditures	266,819	(386,329)	943,282	168,755	1,498,367
Other financing sources (uses):					
Transfers in	97,500	97,500	34,383	-	(63,117
Transfers (out)	(659,754)	(659,754)	(670,168)	-	(10,414
Total other financing sources (uses)	(562,254)	(562,254)	(635,785)	-	(73,531
Net change in fund balance	(295,435)) (948,583)	307,497	168,755	1,424,835
Fund balances - beginning, as restated (Note 14)	295,435	948,583	686,194	262,389	-
Fund balances - ending	\$ -	\$ <u>-</u>	\$ 993,691	\$ 431,144	\$ 1,424,835

The notes to the required supplementary information is an integral part of this schedule.

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - SPECIAL REVENUE FUND

For the Fiscal Year Ended June 30, 2009

								riance With nal Budget
		Budgeted	l Aı		•••	Actual		avorable
		Original		Final	-	Amounts	(Uı	nfavorable)
Revenues:								
Local sources	\$	406,247	\$	670,037	\$	510,214	\$	(159,823)
State sources		1,192,856		1,716,025		1,464,291		(251,734)
Federal sources		2,867,468		3,322,676		2,962,829		(359,847)
Total revenues		4,466,571		5,708,738		4,937,334		(771,404)
Expenditures:								
Instruction		14,960		2,791,752		2,398,963		392,789
Supporting services:		·		. ,				,
Students		-		80,882		62,194		18,688
Instructional staff		-		788,030		520,791		267,239
Central administration		-		121,042		102,686		18,356
School administration		-		4,459		3,158		1,301
Business		-		162,021		114,152		47,869
Operation and maintenance of facilities		-		12,282		11,504		778
Student transportation		250,920		278,802		244,211		34,591
Food services		1,773,770		1,794,702		1,699,516		95,186
Community services				66,000		61,222		4,778
Capital outlay		-		1,148,046		1,114,906		33,140
Total expenditures		2,039,650		7,248,018		6,333,303		914,715
Excess (deficiency) of revenues over								
expenditures		2,426,921		(1,539,280)		(1,395,969)		143,311
Other financing sources (uses):								
Transfers in		659,754		659,754		659,754		-
Transfers (out)	(3,116,675)		(131,285)		(34,383)		96,902
Total other financing sources (uses)	(2,456,921)		528,469		625,371		96,902
Net change in fund balance		(30,000)		(1,010,811)		(770,598)		240,213
Fund balances - beginning		30,000		1,010,811		25,463		(985,348)
Fund balances - ending	\$	-	\$	-	\$	(745,135)	\$	(745,135)

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION

For the Fiscal Year Ended June 30, 2009

A. Budgets and Budgetary Accounting:

All boards of education within West Virginia are required by statute to prepare annual budgets and levy rate estimates on prescribed forms and submit these for approval. Budgets are presented on the modified accrual basis of accounting for all governmental funds but do not include amounts for other post-employment benefits billed by PEIA beyond the retiree subsidy (pay-as-you-go) amount because only the retiree subsidy amounts are required to be remitted according to WVC §5-16d-6(e). Budgets are not adopted for agency funds. The following procedures are followed in preparing the annual budget:

- 1. Pursuant to State statutes, the Board is required to hold a meeting or meetings between the seventh and twenty-eighth days of March to ascertain its financial condition and to determine the amount that is to be raised from the levy of taxes for the fiscal year commencing July 1. The Board adjourns the meeting and submits its Schedule of Proposed Levy Rates to the State Auditor's Office for approval. The Board then reconvenes its meeting on the third Tuesday of April to formally lay the approved levy.
- 2. The Board is also required to submit its proposed budget for the subsequent year to the State Board of Education for approval by the date established in the budget calendar. The Board is also required to hold a public hearing on the proposed budget before it is submitted for approval. The proposed budget must be made available for public inspection for at least 10 days before the public hearing is held.

B. Deficiencies in Net Changes in Fund Balances and Deficit Fund Balances:

The following fund had a deficiency in net changes in fund balances for the year ended June 30, 2009:

Fund Special Revenue Fund <u>Amount</u> \$ (770,598)

The following fund had a deficiency in fund balance for the year ended June 30, 2009:

Fund Special Revenue Fund

\$ (745,135)

The Special Revenue Fund had a \$(2,847) deficiency in net change due to some projects incurring expenses and offsetting revenues not being credited until after the end of the fiscal year. The remaining \$(767,751) was due to deferred revenue not received within 60 days.

SUPPLEMENTARY INFORMATION

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -BUDGET AND ACTUAL - CAPITAL PROJECTS FUND

For the Fiscal Year Ended June 30, 2009

		Budgeteo ginal	l Amo	ounts Final	Actual Modified Accrual Basis		Fin:	ance With al Budget avorable favorable)
Revenues:								
State sources	\$		\$_	375,000	\$	202,114	\$	(172,886)
Total revenues				375,000		202,114	,	(172,886)
Expenditures:				275 000		212,528		162,472
Capital outlay				375,000		212,528		162,472
Total expenditures				375,000		212,326		102,172
Excess (deficiency) of revenues over expenditures	<u> </u>			**		(10,414))	(10,414)
Other financing sources (uses):						10,414		10,414
Transfers in Total other financing sources (uses)				-		10,414		10,414
Net change in fund balance		-		_		-		-
Fund balance - beginning						**		
Fund balance - ending	\$	_	\$	_	\$	_	\$	-

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF CHANGES IN SCHOOL ACTIVITY FUNDS For the Year Ended June 30, 2009

		sh Balance 7/1/2008		Revenues Received	•		sh Balance /30/2009	
High Schools:								
Oak Glen High	\$	61,654	\$	239,001	\$	274,387	\$	26,268
Weir High		176,958		228,522		241,977		163,503
JD Rockefeller Career Center		336,001		223,617		188,376		371,242
Total high schools		574,613		691,140		704,740		561,013
Middle and Junior High Schools:								
Oak Glen Middle		50,678		80,217		85,955		44,940
Weir Middle		61,628		82,532		78,917		65,243
Total middle and junior high schools	-	112,306		162,749		164,872		110,183
Elementary Schools:								
Allison		66,136		69,014		60,579		74,571
Broadview		10,650		13,119		12,742		11,027
Liberty		17,948		38,413		34,048		22,313
New Manchester		19,890		32,313		33,595		18,608
Weirton Heights		16,520		30,931		33,474		13,977
Total elementary schools		131,144	****	183,790		174,438		140,496
Total	\$	818,063	\$	1,037,679	\$	1,044,050	\$	811,692

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE SUPPLEMENTARY INFORMATION

For the Fiscal Year Ended June 30, 2009

A. Budgets and Budgetary Accounting:

All boards of education within West Virginia are required by statute to prepare annual budgets and levy rate estimates on prescribed forms and submit these for approval. Budgets are presented on the modified accrual basis of accounting for all governmental funds, but do not include amounts for other post-employment benefits billed by PEIA beyond the retiree subsidy (pay-as-you-go) amount because only the retiree subsidy amounts are required to be remitted according to WVC §5-16d-6(e). Budgets are not adopted for agency funds. The following procedures are followed in preparing the annual budget:

- 1. Pursuant to State statutes, the Board is required to hold a meeting or meetings between the seventh and twenty-eighth days of March to ascertain its financial condition and to determine the amount that is to be raised from the levy of taxes for the fiscal year commencing July 1. The Board adjourns the meeting and submits its Schedule of Proposed Levy Rates to the State Auditor's Office for approval. The Board then reconvenes its meeting on the third Tuesday of April to formally lay the approved levy.
- 2. The Board is also required to submit its proposed budget for the subsequent year to the State Board of Education for approval by the date established in the budget calendar. The Board is also required to hold a public hearing on the proposed budget before it is submitted for approval. The proposed budget must be made available for public inspection for at least 10 days before the public hearing is held.

B. Deficiencies in Net Changes in Fund Balances and Deficit Fund Balances:

The following fund has a deficit undesignated fund balance at June 30, 2009:

<u>Fund</u> Capital Projects Fund <u>Amount</u> \$ (104,706)

Purchase orders were approved for funds expected to be received. Funds have not been received and/or expended.

SINGLE AUDIT REPORTING PACKAGE

HANCOCK COUNTY BOARD OF EDUCATION TABLE OF CONTENTS

For the Fiscal Year Ended June 30, 2009

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State of West Nirginia

Glen B. Gainer III State Auditor and Chief Inspector

Stuart T. Stickel, CPA Deputy Chief Inspector Office of the State Auditor Chief Inspector Division Building 1, Room W-420 Charleston, West Virginia 25305 Toll Free: 877-982-9148 Telephone: (304) 558-2540 FAX: (304) 558-5327 Internet: http://www.wvsao.gov

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Honorable Members of the Board Hancock County Board Of Education New Cumberland, West Virginia

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Hancock County Board of Education, as of and for the year ended June 30, 2009, which collectively comprise the Hancock County Board of Education's basic financial statements and have issued our report thereon dated May 12, 2010. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Hancock County Board of Education's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Hancock County Board of Education's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Hancock County Board of Education's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Hancock County Board of Education's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principals such that there is more than a remote likelihood that a misstatement of the Hancock County Board of Education's financial statements that is more than inconsequential will not be prevented or detected by the Hancock County Board of Education's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Hancock County Board of Education's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Honorable Members of the Hancock County Board Of Education Page Two

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Hancock County Board of Education's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of management, the Board, others within the entity, the West Virginia Department of Education, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

Glen B. Gainer, III

West Virginia State Auditor

May 12, 2010



Glen B. Gainer III State Auditor and Chief Inspector

Stuart T. Stickel, CPA Deputy Chief Inspector

State of West Nirginia

Office of the State Auditor Chief Inspector Division Building 1, Room W-420 Charleston, West Virginia 25305 Toll Free: 877-982-9148 Telephone: (304) 558-2540 FAX: (304) 558-5327 Internet: http://www.wysao.gov

REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR 4-133

Honorable Members of the Hancock County Board Of Education New Cumberland, West Virginia

Compliance

We have audited the compliance of the Hancock County Board of Education with the types of compliance requirements described in the U. S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement that are applicable to each of its major federal programs for the year ended June 30, 2009. The Hancock County Board of Education's major federal programs are identified in the Summary of Auditor's Results section of the accompanying Schedule of Findings and Questioned Costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of Hancock County Board of Education's management. Our responsibility is to express an opinion on Hancock County Board of Education's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Hancock County Board of Education's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of Hancock County Board of Education's compliance with those requirements.

In our opinion, the Hancock County Board of Education complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2009.

Honorable Members of the Hancock County Board Of Education Page Two

Internal Control Over Compliance

The management of the Hancock County Board of Education is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered Hancock County Board of Education's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Hancock County Board of Education's internal control over compliance.

A control deficiency in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of management, the Board, others within the entity, the West Virginia Department of Education, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

Glen B. Gainer, III

West Virginia State Auditor

May 12, 2010

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For the Fiscal Year Ended June 30, 2009

Federal Grantor/Pass-through Grantor/Program or Cluster Title U. S. Department of Agriculture	Pass Through Entity ID <u>Number</u>	Federal CFDA <u>Number</u>	Total Federal <u>Expenditures</u>
Pass-through West Virginia Department of Education			
Child Nutrition - Cluster :			
Non-Cash Assistance (Commodities):			
National School Lunch Program	88	10.555	\$63,681_
Total non-cash assistance			63,681
Cash Assistance:			
School Breakfast Program	88	10.553/	
National School Lunch Program		10.555	757,937
Total cash assistance			757,937
Subtotal, pass-through West Virginia Depart	tment of Education		821,618
Total U. S. Department of Agriculture	••••••	•••••	\$ 821,618

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For the Fiscal Year Ended June 30, 2009

Federal Grantor/Pass-through Grantor/Program or Cluster Title	Pass Through Entity ID <u>Number</u>	Federal CFDA <u>Number</u>	<u>E</u> :	Total Federal xpenditures
U. S. Department of Education				
Pass-through West Virginia				
Department of Education				
Adult Education - Basic		04.000	ď	23,039
Grants to States	61	84.002	\$	23,039
Title I Grants to Local	41	84.010		710,077
Educational Agencies	41	84.010		710,077
Special Education Cluster:	·			
Special Education -				1 117 (67
Grants to States (IDEA, Part B)	43	84.027		1,117,667
Preschool Grants (IDEA Preschool)	43	84.173		13,460
Career and Technical Education - Basic				
Grants to States	50	84.048		65,568
Safe and Drug-Free Schools and				
Communities - State Grants	48	84.186		23,617
State Grants for Innovative Programs	42	84.298		41,656
Special Education - State Personnel				
Development	43	84.323		9,165
English Language Acquisition Grant	45	84.365		800
Improving Teacher Quality				
State Grants	40	84.367		281,710
Total Pass-through West Virginia Depar	tment of Education			2,286,759
Total U. S. Department of Education		• • • • • • • • • • • • • • • • • • • •		2,286,759
TOTAL EXPENDITURES OF FEDERAL AW	ADDS		\$	3,108,377

N.A. = Not Available

The accompanying notes to the Schedule of Expenditures of Federal Awards are an integral part of this schedule.

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS For the Fiscal Year Ended June 30, 2009

Note 1. Basis of Presentation

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of the board and is presented on a basis of accounting principles generally accepted in the United States of America. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in preparation of, the financial statements.

Note 2. Child Nutrition Program

Child Nutrition Program [CFDA #10.553 and #10.555] expenditures of federal awards are based on the amount of federal funding received for each of the programs. Since the amount of total expenditures for the programs exceeds the amount of the federal awards received, it is presumed that the total received from the federal awards has been expended. The amount of expenditures funded by meal sales, sponsor's contributions and state matching funds for both programs has not been included in the Schedule of Expenditures of Federal Awards. The total combined expenditures for the two programs as funded from all sources was \$1,722,146.

Note 3. Donated Food Value

Donated food distribution represents surplus agricultural commodities received from the U.S. Department of Agriculture passed through from the West Virginia Department of Agriculture. Commodities are valued based on amounts as established by the U.S. Department of Agriculture. For the year ended June 30, 2009 total value of the donated food inventories was \$63,681, which is included in the Child Nutrition cluster of programs.

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF FINDINGS AND QUESTIONED COSTS

For the Fiscal Year Ended June 30, 2009

Section I - Summary of Auditor's Results

Financial Statements	
Type of auditor's report issued:	<u>Unqualified</u>
Internal control over financial reporting:	
Material weaknesses identified?	<u>No</u>
 Significant deficiencies identified that are not considered to be material weaknesses? 	<u>No</u>
Noncompliance material to financial statements noted?	<u>No</u>
Federal Awards	
Internal control over major programs:	
Material weaknesses identified ?	<u>No</u>
Significant deficiencies identified that are not considered to be material weaknesses?	<u>No</u>
Type of auditor's report issued on compliance for major programs:	<u>Unqualified</u>
Any audit findings disclosed that are required to be reported in accordance with section §_510(a) of OMB Circular A-133?	<u>No</u>
Identification of major programs :	
Name of Federal Program or Cluster	CFDA Numbers
Title I Grants to Local Educational Agencies	84.010
Special Education Cluster:	
Special Education - Grants to States (IDEA, Part B)	84.027
Preschool Grants (IDEA Preschool)	84.173
Dollar threshold used to distinguish between type A and type B program:	\$300,000
Auditee qualified as low-risk auditee?	<u>No</u>

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF FINDINGS AND QUESTIONED COSTS For the Fiscal Year Ended June 30, 2009

	Section II - Financial Statement Findings	
	NO MATTERS WERE REPORTED	
TAX 1-2410	Section III - Federal Award Findings and Questioned Costs	

NO MATTERS WERE REPORTED

HANCOCK COUNTY BOARD OF EDUCATION SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS For the Fiscal Year Ended June 30, 2009

Status of Prior Year Financial Statement Findings

Finding #08-01

Finding Title: Expenditures

Finding was corrected

Finding #08-02

Finding Title: Failure to Execute Proper Contracts

Finding was corrected.

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ECONOMIC AND DEMOGRAPHIC DATA COUNTY OF HANCOCK (WEST VIRGINIA)

Introduction

Location:

Hancock County (the "County") is located in the northern panhandle of West Virginia. The City of New Cumberland is located 153 miles from Charleston, the capital of West Virginia; 29 miles from Pittsburgh, PA.; 215 miles from Washington, DC; 133 miles from Columbus, OH and 99 miles from Cleveland,

OH.

County Seat:

City of New Cumberland

The County:

The County is governed by, and generally acts through, The County The Commissioners of the County Commission of Hancock County. Commission are elected on a countywide basis. The County has the power, pursuant to Article 1 of Chapter 7 of the Code of West Virginia of 1931, as

amended, to create and establish the Commission.

Commissioners: Michael Swartzmiller, President Danny Greathouse, Commissioner

Jeff Davis, Commissioner

Population

	II al County	West Virginia	United States
Year	Hancock County		282,171,957
2000	32,525	1,806,962	, · ·
1	30,865	1,803,920	295,753,151
2005	30,803	* *	307,006,550
2009	29,729	1,819,777	307,000,330
2007			

Source: U.S. Bureau of Economic Analysis

Economy (March 2010)

The ten (10) largest employers for the year 2010 in the County are:

- Mountaineer Park, Inc.
- The Homer Laughlin China Company
- 3 Arcelormittal Weirton, Inc.
- 4 Hancock County Board of Education
- 5 Bellofram Corporation
- Wal-Mart Stores, Inc. 6
- Weirton Geriatric Center, Inc. 7
- The Kroger Company
- Ergon-West Virginia, Inc.
- City of Weirton 10

Source: WORKFORCE West Virginia

Average Annual Unemployment Rates (%)

Year	Hancock County	West Virginia
2005	7.1	4.9
2006	7.0	4.5
2007	5.3	4.2
2008	5.7	4.3
2009	11.5	7.9
2010 (Sept)	12.7	8.6

Source: WORKFORCE West Virginia - Based on civilian labor force

Average Employment by Industry

Industry	2007	2008	2000	
	2007	2008	2009	2010
Natural Resources & Mining				(2 nd Quarter)
Construction	238	191	142	146
Manufacturing	3,163	2,869	2,830	2,796
Trade, Transportation & Utilities	1,896	1,882	1,889	1,951
Information	50	47	40	38
Financial Activities	401	401	395	386
Professional & Business Services	494	443	443	428
Education & Health Services	1,040	1,051	1,047	1,095
Leisure and Hospitality	2,673	3,184	2,732	2,672
Other Services	279	281	283	284
Government	<u>1,350</u>	1,374	1,369	1,447
TOTAL	11,631	11,766	11,194	11,263

Source: WORKFORCE West Virginia

Average Employment and Average Weekly Wage

	Average Employment		Average W	eekly Wage
	2005	2009	2005	2009
Hancock County	12,603	11,194	\$553.69	\$597.08
West Virginia	695,300	691,921	\$602.77	\$709.52

Source: WORKFORCE West Virginia

Per Capita Personal Income

County	2005	2008	2008 Rank in State
United States	\$ 35,424	\$ 40,166	
West Virginia	\$ 26,686	\$ 31,634	
Hancock County	\$26,315	\$31,243	13

Source: U.S. Bureau of Economic Analysis

Wages Per Industry (2009) (\$)

Industry	Total Wages	Average Weekly Wage
Natural Resources & Mining		
Construction	3,999,813	541.69
Manufacturing	130,101,702	884.08
Trade, Transportation & Utilities	45,431,158	462.50
Information	1,454,804	699.42
Financial Activities	12,513,683	609.23
Professional & Business Services	17,893,973	776.79
Education & Health Services	25,932,141	476.31
1	58,310,301	410.44
Leisure and Hospitality	4,610,205	313.27
Other Services	46,415,943	652.02
Government		597.08
TOTAL	347,552,432	377.00

Source: WORKFORCE West Virginia

Total Wages (\$)

Year	Hancock County	West Virginia
2005	362,862,033	21,793,516,080
2006	350,856,111	23,079,570,075
	346,068,807	24,083,126,318
2007	, ·	25,534,204,980
2008	370,864,577	* '
2009	347,552,432	25,528,702,813

Source: WORKFORCE West Virginia

Community Data

Doctors

Dentists

Beds

Licensed Nursing Homes

Education Facilities	
Elementary	5
Middle or Jr. High	2
High Schools	2
Vocational Schools	1
Colleges (within 50 miles):	-
Bethany College	
West Liberty University	
Wheeling Jesuit University	

Recreational Facilities	
State Forests	0
State Parks	1
Wildlife Management Areas	1
Public Hiking Trails (miles)	3.4
Public Fishing & Boating Lakes	0
Recreational Rivers (boating/rafting)	1
Museums/Art Galleries	1
Golf Courses – Private/Public	2/2
National Forests	0
National Park & Recreational Areas	0
Amphitheaters/Performing Arts Centers	1
Pro/Semi-pro Sports Teams	0
Regional Shopping Centers/Malls/	2
outlets within 25 miles	
Major Private Recreation/Resort Areas	1
Civic/Convention Centers	0
Medical	
Hospitals	0
Beds	0
1 F	

Transportation	
Highways:	
Interstates	
WV Routes	30
US Routes	2, 8, 105
Motor freight carriers	5
River, nearest navigable	1
Industrial Parks	0
Industrial Sites	0
Airports:	
Herron Airport, New Cumberland, WV	
Pittsburgh International Airport, PA	
Railroads:	1
Motor Freight Carriers	5
Bus Service (local and interstate)	2
· ·	

Utilities				
Telephone Service:	1			
Natural Gas:	1			
I	Private/Municipal/PSD			
Electricity:	1/0/			
Sewer:	1/2/1			
Water	0/1/3			
Other Data	1			
Licensed Day Care Centers	6			
Banks (including branches)	9			
Savings & Loans (including branch	hes) 2			
Libraries	3			

Sources: West Virginia, Bureau of Employment Programs, Research, Information and Analysis, except as otherwise noted.

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101 South Queen Street Martinsburg, West Virginia 25401 (304) 263-0836

7000 Hampton Center Morgantown, West Virginia 26505 (304) 285-2500

333 West Vine Street, Suite 1700 Lexington, Kentucky 40507-1639 (859) 252-2202



ATTORNEYS AT LAW

600 Quarrier Street Charleston, West Virginia 25301

Post Office Box 1386 Charleston, West Virginia 25325-1386 (304) 347-1100

www.bowlesrice.com

March ____, 2011

APPENDIX C

5th Floor, United Square 501 Avery Street Parkersburg, West Virginia 26101 (304) 485-8500

480 West Jubal Early Drive Suite 130 Winchester, Virginia 22601 (540) 723-8877

The Board of Education of the County of Hancock New Cumberland, West Virginia

Re: \$37,000,000 The Board of Education of Hancock County [West Virginia] Public School Bonds, Series 2011

Dear Ladies and Gentlemen:

We have examined a record of the proceedings relative to the issuance and sale of \$37,000,000 Public School Bonds, Series 2011 (the "Bonds"), of Hancock County School District, by and through The Board of Education of the County of Hancock (the "Issuer") in the State of West Virginia. The Bonds are issued in fully registered form, are dated March ______, 2011, upon original issuance, are numbered in order of maturity from R-1 consecutively upward, are of the denominations of \$5,000 or integral multiples thereof, mature on May 1 in the years and amounts and bear interest payable each May 1 and November 1, commencing November 1, 2011, as follows:

<u>Year</u>	Principal <u>Amount</u>	Interest <u>Rate</u>	<u>Year</u>	Principal <u>Amount</u>	Interest <u>Rate</u>
2012	595,000		2025	1,480,000	
2013	865,000		2026	1,545,000	
2014	900,000		2027	1,620,000	
2015	945,000		2028	1,695,000	
2016	985,000		2029	1,770,000	
2017	1,030,000		2030	1,850,000	
2017	1,080,000		2031	1,935,000	
2019	1,130,000		2032	2,025,000	
2019	1,180,000		2033	2,120,000	
2020	1,235,000		2034	2,215,000	
	1,290,000		2035	2,320,000	
2022	•		2036	2,425,000	
2023	1,350,000		2030	2, .20,000	
2024	1,415,000				



The Board of Education of the County of Hancock March _____, 2011 Page 2

The Bonds were authorized at the general election held in the Hancock County School District on November 2, 2010, and by a Resolution and Order adopted by the Issuer on July 12, 2010, as supplemented (such Resolution and Order, as supplemented, herein called the "Resolution"), and are issued pursuant to Chapter 13, Article 1 of the West Virginia Code of 1931, as amended (the "Act"), for the purposes of providing funds for the acquisition, construction, renovation, repair and equipping of certain public school buildings, together with the sites thereof and all necessary appurtenances, in the Hancock County School District, and paying costs of issuance of the Bonds.

As to questions of fact material to our opinion, we have relied upon the representations, covenants and certifications of the Issuer contained in the Resolution, a Tax and Arbitrage Certificate of the Issuer dated the date hereof (the "Tax Certificate") and the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.

We have not been engaged or undertaken to review the accuracy, completeness or sufficiency of the Official Statement or other offering material relating to the Bonds (except to the extent, if any, stated in the Official Statement), and we express no opinion relating thereto (excepting only the matters set forth as our opinion in the Official Statement).

Based upon the foregoing, and assuming compliance with the representations, covenants and certifications of the Issuer contained in the Resolution, the Tax Certificate and the certified proceedings and the certifications made in connection with the issuance of the Bonds, we are of the opinion that, under existing law:

- 1. The Issuer is a school district presently existing under the laws of, and a political subdivision of, the State of West Virginia, with full power and authority to adopt the Resolution and to issue and sell the Bonds under the provisions of the Act and other applicable provisions of law.
- 2. The Bonds have been duly authorized and validly issued by the Issuer in accordance with the Constitution and statutes of the State of West Virginia and constitute valid and legally binding general obligations of the Issuer, and unless the Bonds are paid from other sources, the Issuer has power and is obligated to levy ad valorem taxes upon all the taxable property within the Hancock County School District to pay the Bonds and the interest thereon, without limitation as to rate or amount.
- 3. Under existing laws, regulations, rulings and judicial decisions of the United States of America, as presently written and applied, the interest on the bonds is not includable in gross income of the owners thereof for Federal income tax purposes and is not an item of tax preference for purposes of the Federal alternative minimum tax imposed upon individuals and corporations. The opinions set forth in the preceding sentence are subject to the condition that the Issuer comply, on a continuing basis, with all representatives, covenants and certifications set forth



The Board of Education of the County of Hancock March ____, 2011 Page 3

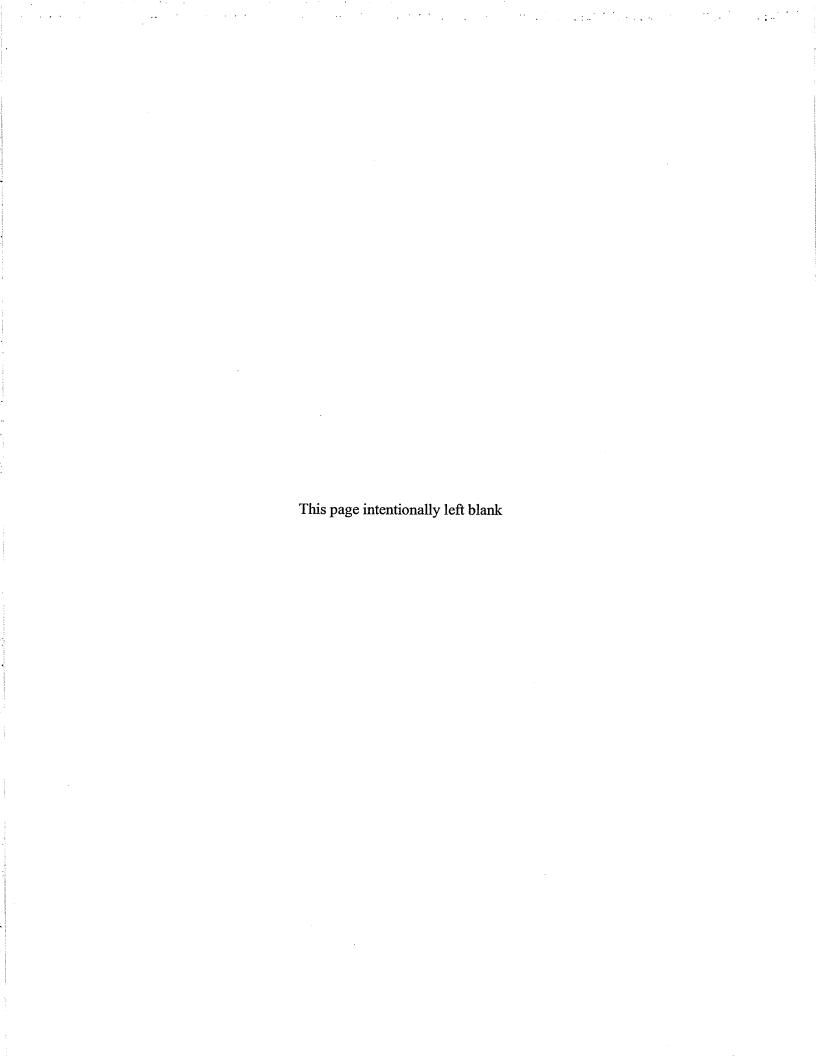
in the Resolution, the Tax Certificate and the certified proceedings and other certifications of the Issuer. Failure to comply with such representations, covenants and certifications could cause the interest on the Bonds to be includable in gross income retroactive to the date of issuance of the Bonds. We express no opinion regarding other federal tax consequences arising with respect to the Bonds.

4. Under the Act, as presently written and applied, the Bonds are exempt from direct taxation by the State of West Virginia or any political subdivision thereof and the interest on the Bonds is exempt from personal and corporate income taxes imposed directly thereon by the State of West Virginia.

Please be advised that the enforcement of remedies with respect to the Bonds is subject to any applicable bankruptcy, reorganization, insolvency, moratorium or other laws affecting the enforcement of creditors' rights heretofore or hereafter enacted, and that enforcement May also be subject to the exercise of judicial discretion in appropriate cases.

We have examined the executed and authenticated Bond No. R-1 of said issue, and in our opinion, said Bond is in proper form and has been duly executed and authorized.

Very truly yours,



HANCOCK COUNTY BOARD OF EDUCATION PROPOSED PROJECTS

PROJECT	<u>LOCATION</u>	ESTIMAT	ED COST
A.T. Allison Elementary Construct Physical Education and 3 Pro-K Classrooms.	Busting A.T. Allison Elementary School Chester, West Virginia	Bond Funds	\$5,269,112
Renovations including without limitation: Site Drainage, Landscaping, Bollards, Play Yards, Paving & Parking, Windows, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, HVAC, Lights, Security Cameras, Restrooms, Electrical, Data Wiring, Fire Sprinklering and Assestos Abatement.			
New Manchester Elementary Construct Physical Education and 3 Pro-K Classrooms	Existing New Manuhester Elementary School New Cumberland, West Virginia	Bond Funds	\$6,189,232
Renovations including without limitation: Site Drainage, Landscaping, Bollards, PlayVards, Paving & Parking, Roofing, Windows & Curtain Wall, Exterior Doors, Joint Sealing, Downspouts, Ceilings, Flooring, Elevator, HVAC, Lights, Security Cameras, Restrooms, Electrical, Lighting, Data Wiring, Fire Sprinklering and Asbessos Abatement.			
Oak Glen Middle School Construct Wrestling Building	Existing Oak Glen Middle School New Cumberland, West Virginia	Bond Funds	\$784,675
Oak Glen High School Renovations including without limitation: Science Department and Restrooms:	Existing Oak Glen High School New Comberland, West Virginia	Bond Funds	\$7,768,437
Complete the Field of Dreams, including paved & lighted parking lots, paved & lighted access drives, lighted stairs to OGHS, concession stand, restrooms and maintenance building; in addition to baseball/softball field bleachers, press boxes, PA systems and scoreboards. New Foodball/Socset Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Pressbox, Field Lighting, Scoreboard, PA/Sound Systems, Repair/Resurfacing of Ediating, 8-lane Track, Field Fencing and additional campus parking for games.			
Weir Middle School Renovations including without limitation: Restroams, Disabled Access Behind MS Auditorium, and MS Auditorium Seating Replacement.	Existing Weir Middle School Weirton, West Virginia	Bond Funds	\$669, 669
Weir High School			4. 4.
Renovations including without limitation: Exterior Concrete States & Walks, Science Department, Restrooms and HS Auditorium Scating Replacement.	Existing Weir High School Webton, West Virginia	Bond Funds	* \$7,330,193*
New Football/Soccer Stadium including Artificial Turt Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Pressbox, Upgrading of Bristing Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional campus parking for games.			
John D. Rockefeller, IV Career Center Renovations including without limitation: Heating, Ventilating and Air Conditioning.	Bristing John D. Rockefeller, IV Curest Center New Cumberland, West Virginia	Bond Funds	\$1,358,900

PROJECT

LOCATION

ESTIMATED COST

New Weirton Elementary School

Acquisition of land, construction and caulpping of New 950-Statent Prek-4 Elementary School (includes demolition of Broadview, Liberty & Welrton Heights existing elementary schools).

New Weirton Elementary School To be located in the 3400 block of Pennsylvania Avenue in Weirton, West Virginia SBA Grant Bond Punds Total

TOTAL PROPOSED BOND CALL:

Project Costs: Third Party Funds: Total Proposed Bond Call \$56,000,000 \$.19,000,000 \$37,000,000

BOOK-ENTRY ONLY SYSTEM

DTC Supplied Disclosure of Book Entry Only System

The following information about the book-entry-only system applicable to the Series 2011 Bonds has been supplied by The Depository Trust Company ("DTC"), New York, New York. Neither the Board, nor the Registrar nor the Paying Agent makes any representations, warranties or guarantees with respect to its accuracy or completeness.

- 1. DTC will act as securities depository for the Series 2011 Bonds. The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of the Series 2011 Bonds, in the aggregate principal amount of the Series 2011 Bonds and will be deposited with DTC.
- 2. DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 2 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a whollyowned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC, in turn, is owned by a number of Direct Participants of DTC and Members of the National Securities Clearing Corporation, Fixed Income Clearing Corporation and Emerging Markets Clearing Corporation (NSCC, FICC, and EMCC, also subsidiaries of DTCC), as well as by the New York Stock Exchange, Inc., the American Stock Exchange LLC, and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has Standard & Poor's highest rating: AAA. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com and www.dtc.org.
- 3. Purchases of Series 2011 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Series 2011 Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Series 2011 Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership

interests in Series 2011 Bonds, except in the event that use of the book-entry system for the Series 2011 Bonds is discontinued.

- 4. To facilitate subsequent transfers, all Series 2011 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Series 2011 Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Series 2011 Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Series 2011 Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.
- 5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of the Series 2011 Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Series 2011 Bonds, such as redemptions, tenders, defaults, and proposed amendments to the bond documents. For example, Beneficial Owners of Series 2011 Bonds may wish to ascertain that the nominee holding the Series 2011 Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Registrar and request that copies of notices be provided directly to them.
- 6. Redemption notices shall be sent to DTC. If less than all of the Series 2011 Bonds are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.
- 7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Series 2011 Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Commission as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Series 2011 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).
- 8. Redemption proceeds, distributions, and interest payments on the Series 2011 Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Board or the Paying Agent, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with Series 2011 Bonds held for the accounts of customers in bearer form or registered in "street name" and will be the responsibility of such Participant and not of DTC nor its nominee, the Registrar or the Board, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Board or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of DTC, and Indirect Participants.

- 9. DTC may discontinue providing its services as securities depository with respect to the Series 2011 Bonds at any time by giving reasonable notice to the Board or the Registrar. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.
- 10. The Board may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.
- 11. The information in this exhibit concerning DTC and DTC's book-entry system has been obtained from sources that the Board believes to be reliable, but the Board takes no responsibility for the accuracy thereof.

No Assurances Regarding DTC Practices

The Board, the Paying Agent and the Registrar cannot and do not give any assurances that the DTC, the Direct Participants or the Indirect Participants will distribute to the Beneficial Owners of the Series 2011 Bonds (1) payments of principal of or interest and premium, if any on the Series 2011 Bonds, (2) confirmations of beneficial interest in the Series 2011 Bonds, or (3) redemption or other notices sent to DTC or Cede & Co., its nominee, as registered owner of the Series 2011 Bonds, or that they will do so on a timely basis, or that DTC, DTC participants or Indirect Participants will serve and act in the same manner as described in this Official Statement. The current "rules" applicable to DTC are on file with the Securities and Exchange Commission, and the current procedures of the DTC to be followed in dealing with Direct Participants are on file with DTC.

Neither the Board, the Paying Agent nor the Registrar shall have any authority or obligation to any Direct Participant, Indirect Participant, Beneficial Owner or other person with respect to (1) the accuracy of any records maintained by the DTC or any Participant; (2) the payment by DTC or any Participant of any amount due to any Beneficial Owner in respect of the principal amount or redemption price or interest on the Series 2011 Bonds; (3) the delivery by DTC or any Participant of any notice to any Beneficial Owner which is required or permitted under the terms of the Series 2011 Bonds Resolution to be given to the Bondholders; or (4) the selection of the Beneficial Owners to receive payment in excess of any partial redemption of the Series 2011 Bonds.

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ELECTED OFFICIALS OF THE BOARD

PRESIDENT OF THE BOARD

Gerald (Jerry) L. Durante is a lifelong resident of the state of West Virginia. Upon graduation from high school, he attended Franciscan University from 1961 thru 1965 where he graduated with majors in education and political science. Following graduation from Franciscan University, Mr. Durante was enrolled at West Virginia University where he completed graduate studies in school administration. Hancock County Schools employed Mr. Durante as a Teacher from1965 thru 1972 until he accepted a position with Weirton Steel Company. He retired as Manager of Security at Weirton Steel and accepted a position as Transportation Director for Hancock County Schools. He retired from that position in 2007. Mr. Durante first served as a member of the Hancock County Board of Education from 1975 thru 1986 and served as its President for eight (8) consecutive years. In 2007, he, again, joined the Hancock County Board of Education filling an unexpired term until 2008. In 2008, he was re-elected to the Board where he currently serves as its President.

BOARD MEMBERS

Patsy T. Brancazio is retired from Weirton Steel Company after 24 years. Since his retirement, he has worked in managerial positions in several businesses including a Retirement Corporation, Huntleigh USA, and Firestone Tire and Rubber Company. He is currently employed part-time at Greco-Hertnick Funeral Home in Weirton, West Virginia. Mr. Brancazio has completed coursework at both West Virginia Northern Community College and the College of Steubenville. He also has attended numerous educational trainings in West Virginia and throughout the United States. Service on the Hancock County Board of Education for Mr. Brancazio first began in 1980 and extended three four-year terms until 1992. This period of service included serving as the Board's President from 1984 thru 1988. Mr. Brancazio was again elected to the Board of Education in 2008, and this term will expire June 30, 2012. He currently has 14 years of service. County service for Mr. Brancazio extends beyond the Hancock County Board of Education. He is an active participant on the Advisory Board for the Regional Educational Service Agency for the northern panhandle of West Virginia. He also participates as a bell ringer for the Salvation Army and is a supporting member of the Friends of West Virginia Northern Community College.

Laura J. Greathouse graduated with a bachelor's degree in elementary education in 1986 from the University of Steubenville, Steubenville, Ohio. Following the awarding of her bachelor's degree, Ms. Greathouse completed a master's degree specializing in special education. Teaching and working with youth through community activities, Ms. Greathouse has made children her life. She began working as a teaching aide in Hancock County Schools in 1970. While working as a teaching aide, she pursued her teaching credentials. In 1986, she started substitute teaching and continued until her full-time teaching career began in 1990. She retired from teaching in 2005 but has remained very involved with an extensive list of community and civic projects such as Energy Express, West Virginia University Extension Board, Read Aloud, and many church-related organizations. She still lectures at local colleges and universities in effective child discipline and understanding special needs children. Ms. Greathouse completed her first term of the Board of Education and was re-elected to serve a four-year term from July 1, 2010, thru June 30, 2014.

Toni M. Hinerman graduated from West Liberty State College, West Liberty, West Virginia, in 1965 with a bachelor's degree in elementary education. She furthered her education at the University of Dayton on the College of Steubenville campus where she completed a master's degree in counselor education and human services. She completed several graduate hours in education beyond her master's. Education is Mrs. Hinerman's passion. She served a total of 24 years as an elementary teacher in Hancock County Schools. While employed as a teacher, she sponsored numerous extra-curricular activities. She also participated in multiple educational seminars and trainings. Mrs. Hinerman was elected to a four-year term to the Hancock County Board of Education which began July 1, 2010, and will extend thru June 30, 2014.

John R. Manypenny, upon graduation from high school in Hancock County, earned an associate degree in business while employed at Weirton Steel Company. He remained at Weirton Steel for 33 years until his retirement in 2002. Following his retirement from Weirton Steel, Mr. Manypenny was employed by the Hancock County Senior Wellness Center where he has provided services for the past eight (8) years. Mr. Manypenny began serving on the Hancock County Board of Education in 1986 and continued until 1996, which included being its President from 1994 thru 1996. He was appointed to a vacancy in 1997 and served until 1998. In 2002, he returned to the Board, and his current term will expire in 2014. Dedicated to the services of youth, Mr. Manypenny has been very active in community activities such as Boy Scouts, where he served as a counselor and leader. He coached both Pony League and Babe Ruth baseball, basketball, and was a member and an officer of various booster clubs. The past 14 years, he has served as a member of the Board of Directors for the Hancock County Sheltered Workshop.

APPOINTED OFFICIALS OF THE BOARD

SUPERINTENDENT

Suzan L. Smith has served Hancock County Schools as its Superintendent since July 1, 2007. She was chosen from a field of candidates by an elected five-member Board of Education. She is responsible for the total operation of the school district and organizing the school system in a manner which provides the best educational opportunities for students in relationship to the resources available for that purpose.

Prior to being appointed to Superintendent for Hancock County Schools, Ms. Smith served as its Assistant Superintendent from 2004 thru 2007. Her duties in this position included directing professional staff development, public relations, federal programs, career education, countywide personnel, countywide testing, and pre-k-adult curriculum.

Ms. Smith also served as the Director of the John D. Rockefeller IV Career Center from 2000 thru 2004. In addition to having full responsibility for running the career center, she also coordinated the high school and middle school curriculum and all adult education programs.

Ms. Smith began her career in Hancock County at Oak Glen High School -- hired as a Teacher from 1972 thru 1975, an Assistant Principal from 1975 thru 1996, and as Principal from 1996 thru 2000. As Principal, she served on the Board of Directors of the West Virginia Secondary Schools' Association, the West Virginia Office of Educational Performance Audits, Evaluation Team, and a three-year term on the National Merit Scholarship Advisory Board.

In addition to Ms. Smith's successful work experiences, she holds a bachelor of arts degree from West Liberty State College with certification as a Teacher in Social Studies, Safety and Driver education, and Physical Education. Her master's degree was earned at West Virginia University in Educational Administration. She has an additional 45 hours above the master's degree in addition to numerous seminars and training completed in West Virginia and throughout the United States.

ASSISTANT SUPERINTENDENT

Wayne E. Neely graduated with a bachelor of science in Health/Physical Education/Driver Education K-12 from Indiana University of Pennsylvania in 1978. In 1985, he was awarded a master of arts in Speech Communications from West Virginia University. He enrolled in and completed a master of science in Educational Administration in 2001. He obtained a professional administrative certificate for Superintendent, Supervisor of General Instruction, and Principal K-12 redentials through Salem International University in 2005. In addition to his degree work, Mr. Neely has attended educational seminars throughout the country.

Starting in 1979, Mr. Neely taught health, physical education, and driver education in Hancock County Schools. He moved from the classroom to become an Assistant Principal in 1999. He was elevated to Principal at Oak Glen High School in 2004. Mr. Neely was chosen as Hancock County's Assistant Superintendent in 2007.

Mr. Neely has an extensive list of professional highlights including coaching a West Virginia State Championship Football Team, being chosen as the Ohio Valley Coach of the Year, serving as a Mentor Principal, presenting at state and national conferences, implementing the first Freshman Academy in Hancock County, the 9th and 10th grade Strategic Reading Program, and numerous innovative curriculum enhancements for the Hancock County Schools.

TREASURER/CHIEF SCHOOL BUSINESS OFFICIAL

Joseph Campinelli, III graduated from West Liberty State College in 1986 with a bachelor's degree in business administration. Upon graduation, he was employed as a Field Auditor for boards of education with the West Virginia Chief Inspector's office. He traveled throughout the state performing financial audits on boards of education.

In 1989, Mr. Campinelli was employed by the Hancock County Board of Education as an accountant. He served in that capacity until 1998 when he was promoted to the position of Coordinator of School Finance. He was appointed by the Board of Education as its Treasurer/Chief School Business Official in 2000.

Mr. Campinelli has been a very active member of the West Virginia Association of School Business Officials, the Southeastern Association of School Business Officials, and the Association of School Business Officials International. He has served in several leadership capacities in these organizations including vice president and president.

FORM OF CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (the "Disclosure Agreement") is executed and delivered by THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (the "Board"), and WesBanco Bank, Inc., Wheeling, West Virginia (the "Dissemination Agent"), in connection with the issuance of \$37,000,000, The Board of Education of the County of Hancock (West Virginia), Public School Bonds, Series 2011 (the "Series 2011 Bonds");

In connection with the foregoing, and in consideration thereof, the Board and the Dissemination Agent covenant and agree as follows:

Section 1. Purpose of this Agreement. This Agreement is executed and delivered by the Board as of the date set forth below, for the benefit of the holders and owners (the "Bondholders") of the Series 2011 Bonds and in order to assist the Participating Underwriters (as defined below) in complying with the requirements of the Rule (as defined below). The Board represents that it will be the only obligated person (as defined in the Rule) with respect to the Series 2011 Bonds at the time the Series 2011 Bonds are delivered to the Participating Underwriters and that no other person is expected to become an obligated person at any time after the issuance of the Series 2011 Bonds.

Section 2. Definitions. The terms set forth below shall have the following meanings in this Agreement, unless the context clearly otherwise requires.

"Annual Financial Information" means the financial information and operating data described in Exhibit I.

"Annual Financial Information Disclosure" means the dissemination of disclosure concerning Annual Financial Information and the dissemination of the Audited Financial Statements as set forth in Section 4.

"Audited Financial Statements" means the audited consolidated financial statements of the Board, prepared pursuant to the standards and as described in Exhibit I.

"Commission" means the U.S. Securities and Exchange Commission.

"Dissemination Agent" means any agent designated as such in writing by the Board and which has filed with the Board a written acceptance of such designation, and such agent's successors and assigns.

"EMMA" means the Electronic Municipal Market Access facility for municipal securities disclosure of the MSRB.

"Exchange Act" means the Securities Exchange Act of 1934, as amended.

"Material Event" means the occurrence of any of the events with respect to the Series 2011 Bonds set forth in Exhibit II.

"Material Events Disclosure" means dissemination of a notice of a Material Event as set forth in Section 5.

"MSRB" means the Municipal Securities Rulemaking Board.

"Participating Underwriters" means each broker, dealer or municipal securities dealer acting as an Underwriter in any primary offering of the Series 2011 Bonds.

"Prescribed Form" means, with regard to the filing of Annual Financial Information, Audited Financial Statements and notices of Material Events with the MSRB at www.emma.msrb.org (or such other address or addresses as the MSRB may from time to time specify), such electronic format, accompanied by such identifying information, as shall have been prescribed by the MSRB and which shall be in effect on the date of filing of such information.

"Rule" means Rule 15c2-12 adopted by the Commission under the Exchange Act, as the same may be amended from time to time.

"State" means the State of West Virginia.

"Undertaking" means the obligations of the Board pursuant to Sections 4 and 5.

Section 3. CUSIP Number/Final Official Statement. The CUSIP Number of the final maturity of the Series 2011 Bonds is _______. The final Official Statement relating to the Series 2011 Bonds is dated _______ (the "Final Official Statement").

Section 4. Annual Financial Information Disclosure. Subject to Section 9 of this Agreement, the Board hereby covenants that it will disseminate the Annual Financial Information and the Audited Financial Statements (in the form and by the dates set forth below and in Exhibit I). The Board may deliver such Annual Financial Information and the Audited Financial Statements to the MSRB within 270 days of the completion of the Board's fiscal year. However, if the Audited Financial Statements are not available at that time, they will be provided within 10 business days of receipt by the Board.

The Board is required to deliver such information in Prescribed Form and by such time so that such entities receive the information by the dates specified.

If any part of the Annual Financial Information can no longer be generated because the operations to which it is related have been materially changed or discontinued, the Board will disseminate a statement to such effect as part of its Annual Financial Information for the year in which such event first occurs.

If any amendment is made to this Agreement, the Annual Financial Information for the year in which such amendment is made (or in any notice or supplement provided to the MSRB) shall contain a narrative description of the reasons for such amendment and its impact on the type of information being provided.

Section 5. Material Events Disclosure. Subject to Section 9 of this Agreement, the Board hereby covenants that it will disseminate in a timely manner, not in excess of 10 business days after the occurrence of the event, Material Events Disclosure to the MSRB in Prescribed Form. Notwithstanding the foregoing, notice of optional or unscheduled redemption of any Series 2011 Bonds or defeasance of any Series 2011 Bonds need not be given under this Agreement any earlier than the notice (if any) of such redemption or defeasance is given to the owners of the Series 2011 Bonds pursuant to the Indenture. From and after the Effective Date, the Board is required to deliver such Material Events Disclosure in the same manner as provided by Section 4 of this Agreement.

Section 6. Duty To Update EMMA/MSRB. The Board shall determine, in the manner it deems appropriate, whether there has occurred a change in the MSRB's e-mail address or filing procedures and requirements under EMMA each time it is required to file information with the MSRB.

Section 7. Consequences of Failure of the Board to Provide Information. The Board shall give notice in a timely manner, not in excess of 10 business days after the occurrence of the event, to the MSRB in Prescribed Form of any failure to provide Annual Financial Information Disclosure when the same is due hereunder.

In the event of a failure of the Board to comply with any provision of this Agreement, the Bondholder of any Bond may seek specific performance by court order to cause the Board to comply with its obligations under this Agreement. A default under this Agreement shall not be deemed an Event of Default under the Series 2011 Bonds or any agreement related thereto, and the sole remedy under this Agreement in the event of any failure of the Board to comply with this Agreement shall be an action to compel performance.

- Section 8. Amendments; Waiver. Notwithstanding any other provision of this Agreement, the Board may amend this Agreement, and any provision of this Agreement may be waived, if:
 - (i) The amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the Board or type of business conducted;
 - (ii) This Agreement, as amended, or the provision, as waived, would have complied with the requirements of the Rule at the time of the primary offering, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
 - (iii) The amendment or waiver does not materially impair the interests of the Bondholders of the Series 2011 Bonds, as determined either by parties unaffiliated with the Board or by an approving vote of the Bondholders of the Series 2011 Bonds holding a majority of the aggregate principal amount of the Series 2011 Bonds (excluding Series 2011 Bonds held by or on behalf of the Board or its affiliates) pursuant to the terms of the Bond Order at the time of the amendment; or
 - (iv) The amendment or waiver is otherwise permitted by the Rule.
- Section 9. Termination of Undertaking. The Undertaking of the Board shall be terminated hereunder when the Board shall no longer have any legal liability for any obligation on or relating to the repayment of the Series 2011 Bonds. The Board shall give notice to the MSRB in a timely manner and in Prescribed Form if this Section is applicable.
- Section 10. Dissemination Agent. The Board has appointed WesBanco Bank, Inc., Wheeling, West Virginia, as Dissemination Agent in connection with the issuance of the Series 2011 Bonds to assist the Board in carrying out its obligations under this Agreement. The Board may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent.
- Section 11. Additional Information. Nothing in this Agreement shall be deemed to prevent the Board from disseminating any other information, using the means of dissemination set forth in this Agreement or any other means of communication, or including any other information in any Annual Financial Information Disclosure or notice of occurrence of a Material Event, in addition to that which is required by this Agreement. If the Board chooses to include any information from any document or notice of occurrence of a Material Event in addition to that which is specifically required by this Agreement, the Board shall not have any obligation under this Agreement to update such information or include it in any future disclosure or notice of the occurrence of a Material Event.
- Section 12. Beneficiaries. This Agreement has been executed in order to assist the Participating Underwriters in complying with the Rule; however, this Agreement shall inure solely to the benefit of the Board, the Dissemination Agent and the Bondholders of the Series 2011 Bonds, and shall create no rights in any other person or entity.
- Section 13. Recordkeeping. The Board shall maintain records of all Annual Financial Information Disclosure and Material Events Disclosure, including the content of such disclosure, the names of the entities with whom such disclosure was filed and the date of filing such disclosure.

Section 14. Past Compliance. The Board represents that it has complied with the requirements of each continuing disclosure undertaking entered into by it pursuant to the Rule in connection with previous financings to which the Rule was applicable.

Section 15. Governing Law. This Agreement shall be governed by the laws of the State.

Dated:	, 2011.
	THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA)
	Ву:
	Title: President
	WESBANCO BANK, INC.
	By:
	Title

EXHIBIT I

ANNUAL FINANCIAL INFORMATION AND TIMING AND AUDITED FINANCIAL STATEMENTS

"Annual Financial Information" means financial information and operating data exclusive of Audited Financial Statements of the type appearing in the Final Official Statement or incorporated by reference in the Final Official Statement.

All or a portion of the Annual Financial Information and the Audited Financial Statements as set forth below may be included by reference to other documents which have been submitted to the MSRB or filed with the Commission. The Board shall clearly identify each such item of information included by reference.

Annual Financial Information will be provided to the MSRB within 270 days after the last day of the Board's fiscal year. Audited Financial Statements as described below should be filed at the same time as the Annual Financial Information. If Audited Financial Statements are not available within such 270 days or when the Annual Financial Information is filed, unaudited financial statements shall be included, and Audited Financial Statements will be provided to the MSRB within 10 business days after availability to the Board.

Audited Financial Statements will be prepared in accordance with generally accepted accounting principles in the United States as in effect from time to time.

If any change is made to the Annual Financial Information as permitted by Section 4 of the Agreement, including for this purpose a change made to the fiscal year-end of the Board, the Board will disseminate a notice to the MSRB of such change in Prescribed Form as required by such Section 4.

EXHIBIT II

EVENTS WITH RESPECT TO THE SERIES 2011 BONDS FOR WHICH MATERIAL EVENTS DISCLOSURE IS REQUIRED

- 1. Principal and interest payment delinquencies
- 2. Nonpayment-related defaults, if material
- 3. Unscheduled draws on debt service reserves reflecting financial difficulties
- 4. Unscheduled draws on credit enhancements reflecting financial difficulties
- 5. Substitution of credit or liquidity providers, or their failure to perform
- 6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security
- 7. Modifications to rights of security holders, if material
- 8. Bond calls, if material, and tender offers
- 9. Defeasances
- 10. Release, substitution or sale of property securing repayment of the securities, if material
- 11. Rating changes
- 12. Bankruptcy, insolvency, receivership or similar event of the Board*
- 13. The consummation of a merger, consolidation or acquisition involving the Board or the sale of all or substantially all of the assets of the Board, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material
- 14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

^{*} This event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Board in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Board, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Board.

EXHIBIT III

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Obligated Party:	The Board of Education of the County of Hancock (West Virginia)
Name of Bond Issue:	\$37,000,000 Public School Bonds, Series 2011
Date of Bond Issue:	, 2011
above-named Series 2011 Bo	that the Board has not provided an Annual Financial Information with respect to the onds as required by Section 4 of the Continuing Disclosure Agreement dated ovided. The Board anticipates that the Annual Financial Information will be filed by
·	
Dated:	
WESBANCO	BANK, INC.
Ву:	
Title:	
cc: [Board]	

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OFFICIAL NOTICE OF SALE

\$37,000,000

The Board of Education of the
County of Hancock (West Virginia)
Public School Bonds, Series 2011

The Board of Education of the County of Hancock (West Virginia) (the "Board") is using PARITY® as a communication mechanism to conduct the electronic bidding for sale of its \$37,000,000 Public School Bonds, Series 2011 (the "Series 2011 Bonds"), as described herein.

Bid Submission

Notice is hereby given that electronic proposals will be received via PARITY®, in the manner described below, until 12:00 noon, Eastern Standard Time, on February 24, 2011. Bids for the Series 2011 Bonds may be submitted electronically via PARITY® pursuant to this Notice until 12:00 noon, Eastern Standard Time, but no bid will be accepted after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY® conflict with this Notice, the terms of this Notice shall control. For further information about PARITY®, potential bidders may contact the Financial Advisor at 304.346.1981 or PARITY® at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone 212.849.5021. The bids will be publicly announced, and the Board will act upon the bids by 2:00 p.m., Eastern Standard Time.

Any prospective bidder that intends to submit an electronic bid must submit its electronic bid through the facilities of PARITY®. No in person or fax bids will be accepted. Subscription to PARITY® is required in order to submit an electronic bid and the Board will neither confirm any subscription nor be responsible for any failure of a prospective bidder to subscribe. No other form of electronic bid or provider of electronic bidding services will be accepted.

For the purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all electronic bids submitted.

Each bid must be unconditional.

The Board expects to take the bids on the Series 2011 Bonds on February 24, 2011. However, the Board reserves the right to postpone the date and time established for the receipt of the bids or to change the bidding parameters set forth in this Official Notice of Sale. Any such postponement or change will be announced by TM3, or any other such service. If the receipt of bids is postponed, any alternative date for receipt of bids will be announced. Any bidder must submit an electronic bid for the purchase of the Series 2011 Bonds on such alternative sale date in conformity with the provisions of the Official Notice of Sale, except for any changes announced via TM3 or any other such service, as described therein.

Preliminary Official Statement

Copies of the Preliminary Official Statement concerning the Series 2011 Bonds and the Official Form of Proposal relating to the Series 2011 Bonds may be secured from Ms. Suzan Smith, Superintendent, Hancock County Board of Education, 104 North Court Street, New Cumberland, West Virginia, 26047, telephone 304.564.3411 or from Raymond James & Associates, Inc., 500 Lee Street, East, Suite 530, Laidley Tower, Charleston, West Virginia, 25301, telephone 304.346.1981.

The Series 2011 Bonds

The Series 2011 Bonds will be dated the date of their delivery (the "Dated Date") and will mature on May 1 in the years and in the amounts as follows:

Maturing (May 1)	Principal Amount (\$)	Maturing (May 1)	Principal Amount (\$)
2012	595,000	2025	1,480,000
2013	865,000	≥ 2026 1	1,545,000
2014	900,000	2027	1,620,000
2015	945,000	2028	-1 ₅ 695,000
2016	985,000	2029	1,770,000
2017	1,030,000	2030	1,850,000
2018	1,080,000	2031	1,935,000
2019	\$1,130,000	2032	2.025.000
2020	1,180,000	2033	2,120,000
2.2021	1.235,000	2034	2,215,000
2022	1,290,000	2035	2,320,000
2023	1,350,000	2036	2.425,000
2024	1,415,000		

The Series 2011 Bonds are general obligations of the Board and the full faith and credit of the Board are pledged for payment of the principal of and interest thereon. All the taxable property in Hancock County, West Virginia, will be subject to the levy of ad valorem taxes, without limitation as to rate or amount, sufficient to pay the principal of and interest on the Series 2011 Bonds when due.

The Series 2011 Bonds will be dated the Date of Delivery, and will be issued in fully registered form only, without coupons, and, when issued will be registered in the name of CEDE & Co., as nominee of The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Series 2011 Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or integral multiples thereof. Purchasers of the Series 2011 Bonds will not receive certificates representing their interests in the Series 2011 Bonds.

Pursuant to Chapter 13, Article 1, of the Code of West Virginia, 1931, as amended, both the principal of and interest on the Series 2011 Bonds are payable at the office of the West Virginia Municipal Bond Commission, Charleston, West Virginia, as Paying Agent. The Board has designated WesBanco Bank, Inc., Wheeling, as the Registrar.

Interest on the Series 2011 Bonds will be payable on November 1, 2011 and semiannually thereafter (each May 1 and November 1) in each year until maturity. The principal of and interest on the Series 2011 Bonds are payable by the Paying Agent to DTC, which will in turn remit such principal and interest to its participants for subsequent distribution to the owners of the Series 2011 Bonds.

Optional Redemption

The Series 2011 Bonds maturing on or after May 1, 2022, are subject to redemption on or after May 1, 2021, at the option of the Board, in whole at any time or in part on any interest payment date, from any moneys available for such purpose, at par plus interest, if any, accrued to the date fixed for redemption.

In the event of such optional redemption, the Board may direct the maturity or maturities of the Series 2011 Bonds and the amounts thereof to be redeemed, provided that the Series 2011 Bonds will be redeemed in whole multiples of \$5,000 in principal amount and in the minimum principal amount of \$50,000.

Notice of any redemption of Series 2011 Bonds shall be given by the Registrar, on behalf of the Board, to registered owners of the Series 2011 Bonds to be redeemed at least thirty (30) and not more than sixty (60) days prior to the date fixed for redemption, by registered or certified mail, at the address appearing in the Bond Register or at such other address as is furnished in writing by the registered owner to the Registrar. Failure to receive such notice or any defect therein or in the mailing thereof shall not affect the validity of any proceedings for the redemption of the Series 2011 Bonds and failure to mail such notice shall not affect the validity of any such proceedings for any Bond with respect to which no such failure has occurred. Notice of redemption having been given in the manner described herein, and moneys necessary for their redemption of the Series 2011 Bonds having been deposited, the Series 2011 Bonds specified in such notice shall, on the date fixed for redemption, become due and payable and from and after such date (unless the Board shall default in the payment of the redemption price), such Series 2011 Bonds shall cease to bear interest.

Optional Term Bonds

Bidders have the option of specifying that the principal amount of the Series 2011 Bonds payable in any two or more consecutive years may, in lieu of maturing in each of such years, be combined into a term bond to mature in the final year of such consecutive serial maturities and be subject to mandatory sinking fund redemption at par in the amounts and in the years as shown in the maturity schedule set forth on the cover page of the Preliminary Official Statement and in this Official Notice of Sale.

Consecutive maturities combined by bidders to form term bonds shall be subject to mandatory sinking fund redemption in part on each May 1, commencing with the first year of the consecutive maturities so combined, at the principal amount set forth in the maturity schedule on the cover page of the Preliminary Official Statement and in this Official Notice of Sale, plus accrued interest to the date fixed for redemption.

Insurance at Bidder's Option

If the Series 2011 Bonds qualify for issuance of any policy of municipal bond insurance or commitment thereof, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Series 2011 Bonds resulting by reason of such insurance, unless otherwise paid, shall be paid by such bidder. Any failure of the Series 2011 Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Series 2011 Bonds.

Terms of Sale

Bidders may only bid to purchase all of the Series 2011 Bonds. Each proposal must state the amount bid for the Series 2011 Bonds, not less than \$37,000,000 or greater than 103% of the par value of the Series 2011 Bonds, and must state in multiples of 1/20 or 1/8 of 1% the rates of interest per annum which the Series 2011 Bonds are to bear, but must not state:

- (a) any interest rate which is in excess of 6.75% per annum,
- (b) more than one interest rate for any Series 2011 Bonds having like maturity, and
- (c) any interest rate for Series 2011 Bonds which exceeds the interest rate stated in such proposal for any other Series 2011 Bonds by more than three percent (3%).

The right is reserved to reject any and all proposals not conforming to this Official Notice of Sale and, so far as permitted by law, to waive any irregularity or informality with respect to any proposal.

Award

The Board, from among the legally acceptable proposals which comply with this Official Notice of Sale, will select the bidder (herein called the "successful bidder") whose proposal offers to purchase all the Series 2011 Bonds at the lowest true interest cost ("TIC"). For the purpose of determining the successful bidder, the true interest cost (TIC) will be the annual interest rate based on a 360-day year or twelve-30 day months, compounded semiannually, which, when used to discount all payments of principal and interest payable on the Series 2011 Bonds to the date of delivery of the Bonds, results in an amount equal to the bid price for the Series 2011 Bonds. If there is more than one such proposal making such offer at the same lowest cost, the Series 2011 Bonds will be sold to the bidder whose proposal is selected by the Board by lot from among all such proposals making such offer at the lowest TIC.

The Board reserves the right to reject any or all bids and to reject any bid not complying with this Official Notice of Sale and, so far as permitted by law, to waive any irregularity or informality with respect to any bid.

Good Faith Deposit

A good faith deposit in the amount of \$740,000 (the "Good Faith Deposit") is required in connection with the sale of the Series 2011 Bonds. The Good Faith Deposit may be provided for by (i) a certified, bank cashier's, treasurer's or official check drawn upon or certified by a responsible banking institution and made payable to the order of the "The Board of Education of Hancock County, West Virginia", delivered at or prior to the time of bid, or (ii) a federal funds wire transfer to be submitted to the Board by the successful bidder not later than 3:00 P.M., Eastern Standard Time, on the Date of Sale (the "Wire Transfer Deadline") as set forth below under "Wire Transfers". The Good Faith Deposit of the successful bidder will be collected and the proceeds thereof retained by the Board to be applied in partial payment of the Series 2011 Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the successful bidder shall fail to comply with the terms of its bid, the proceeds thereof will be retained as and for full liquidated damages. Checks of unsuccessful bidders will be returned promptly after the Series 2011 Bonds are awarded to the successful bidder.

If the successful bidder chooses to deliver its Good Faith Deposit by federal funds wire transfer, the Board will distribute wiring instructions for the Good Faith Deposit to the successful bidder upon verification of the bids submitted by the bidders and prior to the Wire Transfer Deadline. If the Good Faith Deposit is not received by the Wire Transfer Deadline, the award of the sale of the Series 2011 Bonds to the successful bidder may be cancelled by the Board in its discretion without any financial liability of the Board to the successful bidder or any limitation whatsoever on the Board's right to sell the Series 2011 Bonds to a different purchaser upon such terms and conditions as the Board shall deem appropriate.

Certificate of Winning Bidder

The successful bidder will be required to provide to the Financial Advisor by facsimile transmission to 304.346.1985 within one-half (½) hour after the verbal award of the Series 2011 Bonds the initial offering price/yields of the Series 2011 Bonds to the public (excluding bond houses and brokers). The successful bidder also must submit to the Board an underwriter's certificate in the form attached hereto as Exhibit A (the "Underwriter's Certificate"), the form of which has been approved by Bond Counsel, prior to the delivery of the Series 2011 Bonds. By submitting its bid, each bidder agrees that, if it is awarded the Series 2011 Bonds, it will either retain the Series 2011 Bonds as a long term investment for its own account or make a bona fide public offering of the Series 2011 Bonds of each maturity to the public after the award at an initial offering price as stipulated herein. It shall be a condition of the Board's obligation to deliver the Series 2011 Bonds that the successful bidder provide documentation as to its compliance with such requirements for purposes of the Internal Revenue Code of 1986, as amended, in form and substance satisfactory to Bond Counsel, including but not limited to the Underwriter's Certificate.

Delivery of the Series 2011 Bonds

The Series 2011 Bonds will be delivered upon payment of the balance of the purchase price in Federal Funds payable to the order of "The Board of Education of the County of Hancock, West Virginia". It is expected that the Series 2011 Bonds will be available for delivery to The Depository Trust Company in New York, New York, on or about March 10, 2011, on such business day and at such hour, as the Board may fix on five business days' notice to the successful bidder, or at such other place and time as may be agreed upon with the successful bidder.

Opinions of Bond Counsel

It will be a condition to the obligation of the successful bidder to accept delivery of and pay for the Series 2011 Bonds that prior to or contemporaneously with such delivery, the successful bidder will be furnished with the final approving opinion of Bowles Rice McDavid Graff & Love LLP, Charleston, West Virginia, Bond Counsel. The opinion of Bond Counsel will include an opinion that under existing laws, regulations, published rulings and judicial decisions of the United States of America, as presently written and applied, interest on the Series 2011 Bonds is not includable in gross income of the owners thereof for federal income tax purposes and that the Series 2011 Bonds are exempt from all taxation by the State of West Virginia or any political subdivision thereof. Said opinion shall also contain further statements to the effect that the enforceability of rights or remedies with respect to the Series 2011 Bonds may be limited by bankruptcy, insolvency or other laws affecting creditors' rights or remedies heretofore or hereafter enacted.

It will be a further condition of delivery of any payment for the Series 2011 Bonds that there also be delivered at such time certificates satisfactory to said Bond Counsel evidencing proper execution and delivery of the Series 2011 Bonds, including (i) a certificate dated the date of delivery of the Series 2011 Bonds, stating that there is no litigation pending or threatened affecting the validity of the Series 2011 Bonds, or wherein an adverse judgment or ruling could have a material adverse impact on the financial condition of the Board, or adversely affect the power of the Board to levy, collect and enforce the collection of taxes or other revenues for the payment of its Series 2011 Bonds, (ii) a certificate dated the date of delivery of the Series 2011 Bonds, of the President and Secretary of the Board, to the effect that at the time of the sale of the Series 2011 Bonds and at all times subsequent thereto up to and including the time of delivery of the Series 2011 Bonds, to the best of their knowledge, the Official Statement in final form and as of its date, did not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, and (iii) a tax and arbitrage certificate executed on behalf of the Board which will include, among other things, covenants relating to compliance with the Internal Revenue Code of 1986, as amended (the "Code"), with the owners of the Series 2011 Bonds that the Board, will, among other things, (a) take all actions on its part necessary to cause interest on the Series 2011 Bonds not to be includable in the gross income of the owners thereof for Federal income tax purposes, including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Series 2011 Bonds and investment earnings thereon, making required payments to the Federal government, if any, and maintaining books and records in a special manner, where appropriate, and (b) refrain from taking any action which would cause interest on the Series 2011 Bonds to be includable in the gross income of the owners thereof for Federal income tax purposes, including, without limitation, refraining from spending the proceeds of the Series 2011 Bonds and investment earnings thereon on certain specified purposes. The Series 2011 Bonds will also bear the signed approval of the Attorney General of West Virginia to the effect that the Series 2011 Bonds are binding obligations of the Board and are incontestable.

Final Official Statement

Within seven (7) business days after the award of the Series 2011 Bonds to the successful bidder therefor, on the date of the sale, the Board, by its President, will authorize the delivery of its Official Statement, which is expected to be substantially in the form of the Preliminary Official Statement referred to below. The Preliminary Official Statement is deemed final by the Board for the purpose of Rule 15c2-12 of the Securities and Exchange Commission, subject to revision, amendment and completion in a final Official Statement. The Board will also issue any supplement or amendment to the Official Statement that may be necessary between the date of the Official Statement and the date of delivery of the Series 2011 Bonds. If requested and furnished to the Board in writing by the successful bidder at or before the close of business on the day of sale, the Board will include in the Official Statement such pricing and other information relating to the reoffering of the Series 2011 Bonds, if any, as may be so furnished. If no such information is furnished by the successful bidder, the Official Statement will include the interest rates on the Series 2011 Bonds resulting from the bid of the successful bidder and the other statements with respect to reoffering contained in the Preliminary Official Statement. Whether or not any such information is included in the Official Statement, the successful bidder shall be responsible to the Board and its officials in all respects for the accuracy, fairness and completeness of such information, and for all decisions made with respect to the use or omission of such information in any reoffering of the Series 2011 Bonds, including the presentation or exclusion of any such information in any documents, including the Official Statement. The Board reserves no responsibility or obligation for the distribution of the Official Statement to anyone other than the successful bidder. Within seven (7) business days after the award of the Series 2011 Bonds, the successful bidder will also be furnished, without cost, up to 125 copies of the Official Statement (and any amendment or supplement thereto).

CUSIP

It is anticipated that CUSIP identification numbers will be printed on the Series 2011 Bonds, but neither the failure to print such numbers on any Series 2011 Bonds nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Series 2011 Bonds in accordance with terms of this Official Notice of Sale. All expenses in relation to the printing of CUSIP numbers on the Series 2011 Bonds shall be paid for by the Board. However, the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

By: /s/ Suzan Smith Superintendent, The Board of Education of the County of Hancock

DATE: February 10, 2011

EXHIBIT A

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

CERTIFICATE OF UNDERWRITER

(the "Underwriter"), as underwriters of the Series 2011 Bonds identified above (the "Series 2011 Bonds"), issued by The Board of Education of Hancock County, West Virginia (the "Issuer"), based on its knowledge regarding the sale of the Series 2011 Bonds, certifies as of this date as follows:
1. All of the Series 2011 Bonds were offered to the general public in a bona fide public offering at initial offering prices higher than the principal amount of such Series 2011 Bonds (the "Initial Offering Price"). The fair market value of the Series 2011 Bonds is not in excess of the Initial Offering Price. The Issue Price of the Series 2011 Bonds is \$
2. For purposes of the Information Return required by Section 149(e) of the Code to be filed in connection with the Series 2011 Bonds:
(a) The Issue Price of the Series 2011 Bonds is \$
(b) The weighted average maturity of the Series 2011 Bonds is years.
(c) The yield on the Series 2011 Bonds is%.
(d) The CUSIP Number assigned to the final maturity of the Series 2011 Bonds is
3. Aggregate total compensation to the Underwriter of \$ based on the prices of yields for the Series 2011 Bonds provided to the Issuer.
4. At the Issuer's direction, based upon our participation in the transaction and our knowledge and experience with bond insurance (in which the credit enhancer has no involvement other than as a credit enhancer) and, as to (b) below, based on estimates by the Underwriter of the likely Yields at which such obligations may have sold in the absence of the bond insurance:
(a) The premium paid for the Bond Insurance on the Series 2011 Bonds does not exceed a reasonable charge for the transfer of credit risk, taking into account charges by credit enhancers in similar transactions with which the Underwriter is familiar.

premium paid for the Bond Insurance) as the discount rate.

The present value of the premium paid for the Bond Insurance is less than the present value of the interest reasonably expected to be saved on the Series 2011 Bonds as a result of the Bond Insurance, for which purpose present value is computed by using the yield-to-maturity (or prior optional redemption date, if applicable) of the Series 2011 Bonds (taking into account both the

5. maturity. The	[All Series 2011 Bonds have Premium for the Series 201	ave an initial Offering Price that exceed their stated redemption 1 Bonds is \$]	price at
6.	None of the Series 2011 B	Bonds bears interest at an increasing interest rate.	
All cap Non-Arbitrage	italized terms not defined i Certificate.	in this Certificate have the respective meanings set forth in the Ta	ıx and
the Underwriter by the Issuer completing and	 The Underwriter underst in making certain of the filing the Information Ret Bond Counsel, in renderin 	aderwriter and duly authorized to execute and deliver this Certificates that the certifications contained in this Certificate will be recir representations in the Tax and Non-Arbitrage Certificate turn for the Series 2011 Bonds, and by Bowles Rice McDavid (and certain of its legal opinions in connection with the issuance	elied on and in Graff &
	Dated	, 2011.	
		[UNDERWRITER]	
		By: Its:	

OFFICIAL FORM OF PROPOSAL

Ms. Suzan Smith, Superintendent The Board of Education of the County of Hancock, West Virginia

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		COLL	·

Subject to the provisions and in accordance with the terms of the Official Notice of Sale, dated February 10, 2011 which are hereby made part of this bid, we offer to purchase all of the \$37,000,000, the Board of Education of the County of Hancock (West Virginia), Public School Bonds, Series 2011 (the "Series 2011 Bonds"), described in said Official Notice of Sale, for the price of \$37,000,000 plus a premium of \$_______ (not to exceed 103% of the par value of the Series 2011 Bonds). The Series 2011 Bonds maturing in the years set forth below shall bear interest at the respective rates set opposite such years in the following table. Specify maturity dates of serial and term bonds as "S" or "T", respectively.

Maturing (May 1)	Principal Amount (\$)	Interest Rate (%)	Serial/ Term	Maturing (May 1)	Principal Amount (\$)	Interest Rate (%)	Serial/ Term
2012	595,000			2025	1,480,000		
2013 2014	865,000			2026	1,545,000	<u>19</u> 20-19	
2015	900,000 945,000			2027 2028	1,620,000 1,695,000		
2016	985,000			2029	1,770,000		
2017	1,030,000			2030	1,850,000		
2018	1,080,000 1,130,000			2031 2032	1,935,000 2,025,000	100	
2020	1,180,000			2032	2,120,000		A CONTRACTOR OF THE PARTY OF TH
2021	1,235,000			2034	2,215,000		
2022	1,290,000			2035	2,320,000		
2023	1,350,000 1,415,000			2036	2,425,000		

Please check one of the following:

	and payable unconditionally to the order for \$740,000 which check is to be applied	of "The Board of Education of the C in accordance with said Official Notice	ounty of Hancock" ce of Sale.
Ш	Will wire funds in the amount of \$740,000	J by 3:00 pm, local time, day of bid, if	successful.
Na	ame of Bidder:		
Ву	<u></u>		
Tel	lephone:		
	o addition or alteration, except as provided f syndicate members, as applicable.)	above, is to be made to this bid. Plea	se attach a list
The forego	oing proposal is hereby accepted this	day of	, 2011
В	y:	, The Board of Education of th	e County of Hancock
The follow	wing is included for informational purposes	only and is not a part of the bid:	
True	Interest Cost (Computed in accordance with	h the Official Notice of Sale)	%
Retur	rn of the check mentioned in the above prop	osal to the above named bidder is here	eby acknowledged.
By			•

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Rating: Standard & Poor's (See "Rating" herein)

In the opinion of Bond Counsel, under existing laws, regulations, published rulings and judicial decisions of the United States of America, as presently written and applied, interest on the Series 2011 Bonds is excludable from gross income of the owners thereof for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, upon the conditions and subject to the limitations set forth under the caption "TAX MATTERS" herein. In the opinion of Bond Counsel, under existing laws of the State of West Virginia, the Series 2011 Bonds are exempt from all taxation by the State of West Virginia or any political subdivision thereof. See "TAX MATTERS" herein

\$37,000,000

The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

Dated: Date of Delivery

Due: May 1, as shown below

The Board of Education of the County of Hancock (West Virginia), Public School Bonds, Series 2011 (the "Series 2011 Bonds") are general obligations of The Board of Education of the County of Hancock, West Virginia (the "Board"), which Board has the power and is obligated to levy ad valorem taxes upon all the taxable property within the Hancock County School District to pay the Series 2011Bonds and the interest thereon, without limitation as to rate or amount.

The Series 2011 Bonds will be issued in fully registered form only, without coupons, and, when issued will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository of the Series 2011 Bonds. Individual purchases will be made in book-entry form only in the principal amount of \$5,000 or integral multiples thereof. Purchasers of the Series 2011 Bonds will not receive certificates representing their interests in the Series 2011 Bonds.

Pursuant to Chapter 13, Article 1 of the Code of West Virginia, 1931, as amended, both the principal of and interest on the Series 2011 Bonds are payable at the office of the West Virginia Municipal Bond Commission, Charleston, West Virginia, as Paying Agent. The Board has designated WesBanco Bank, Inc., Wheeling, West Virginia, as Registrar.

Interest on the Series 2011 Bonds will be payable on November 1, 2011 and semiannually thereafter (each May 1 and November 1) in each year until maturity. The principal of and interest on the Series 2011 Bonds are payable by the Paying Agent to DTC, which will in turn remit such principal and interest to its Participants for subsequent distribution to the Beneficial Owners of the Series 2011 Bonds, as described herein.

The Series 2011 Bonds are subject to redemption prior to maturity as described herein.

MATURITIES, AMOUNTS, RATES, YIELDS AND CUSIPS

A	,,,,,,								
Maturing (May 1)	Principal Amount (\$)	Interest Rate (%)	Yield (%)	CUSIP** Base #: 410090	Maturing (May 1)	Principal Amount (\$)	Interest Rate (%)	Yield (%)	CUSIP** Base #: 410090
2012	595,000	3.00	0.60	CC6	2022	1,290,000	5.00	3.60*	CN2
	336556000	24 (610)	20095	CD4	## 2003 H	1 350,000	\$000	a y y	1017
2014	900,000	3.00	1.30	CE2	2024	1,415,000	5.00	3.95*	CQ5
	9460000	0101	11.765	GPOST SE	7025	1,486,090	4,000	41.10	CRo.
2016	985,000	3.00	2.05	CG7	2026	1,545,000	4.00	4.20	CS1
30107	==E(0310);()(010)	e a gjjira	235	CH599	1027	1.67(0.600)	21010	4.00	Section 201
2018	1,080,000	3.00	2.60	CJ1	2028	1,695,000	4.25	4.40	CU6
20010	[][(6) (1010)	5,010	2.8	CK8	2000	17700000	405	4,45	E CVI
2020	1,180,000	3.00	3.10	CL6	2030	1,850,000	4.375	4.50	CW2
2021	24,235,000			(M2)					

\$3,960,000 4.50% Series 2011 Bond due May 1, 2032 at a yield of 4.60% CUSIP No. 410090CY8**

\$4,335,000 4.50% Series 2011 Bond due May 1, 2034 at a yield of 4.75% CUSIP No. 410090DA9**

\$4,745,000 4.75% Series 2011 Bond due May 1, 2036 at a yield of 4.87% CUSIP No. 410090DC5**

The Series 2011 Bonds are offered for delivery when, as and if issued, subject to approval of legality by Bowles Rice McDavid Graff & Love LLP, Charleston, West Virginia, Bond Counsel. Certain legal matters will be passed upon for the Board by Bowles Rice McDavid Graff & Love LLP, Morgantown, West Virginia, Counsel to the Board. It is expected that the Series 2011 Bonds will be available for delivery to DTC, New York, New York on or about March 10, 2011.

Dated: February 24, 2011

^{*}Yield to call for optional redemption on May 1, 2011.

^{**}See inside cover for footnote.

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

ELECTED OFFICIALS

Jerry Durante, President
Patsy Brancazio, Board Member
Laura Greathouse, Board Member
Toni Hinerman, Board Member
John Manypenny, Board Member

APPOINTED OFFICIALS

Suzan Smith, Superintendent Wayne Neely, Assistant Superintendent Joseph Campinelli, Treasurer

BOARD'S COUNSEL

Bowles Rice McDavid Graff & Love LLP Morgantown, West Virginia

BOND COUNSEL

Bowles Rice McDavid Graff & Love LLP Charleston, West Virginia

FINANCIAL ADVISOR

Raymond James & Associates, Inc. Charleston, West Virginia

*CUSIP numbers have been assigned by an independent company not affiliated with the Board and are included on this cover page solely for the convenience of the Owners of the Series 2011 Bonds only at the time of issuance of the Series 2011 Bonds. Neither the Underwriters nor the Board makes any representation with respect to the accuracy of such CUSIP numbers as indicated in the above table or undertakes any responsibility for the selection of the CUSIP numbers or their accuracy now or at any time in the future. The CUSIP number for a specific maturity is subject to being changed after the issuance of the Series 2011 Bonds.

No dealer, broker, salesman or other person has been authorized by The Board of Education of the County of Hancock, West Virginia, to give any information or to make any representations other than as contained in this Official Statement, and, if given or made, such other information or representations must not be relied upon as having been authorized by the Board. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor there any sale of the Series 2011 Bonds herein described by any persons in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein has been obtained by the Board from sources which are believed to be reliable, but it is not guaranteed as to accuracy or completeness. The information and expressions of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Board since the date hereof.

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OFFICIAL STATEMENT RELATING TO

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

INTRODUCTION

This Official Statement provides certain information in connection with the sale of \$37,000,000 in aggregate principal amount of The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011 (the "Series 2011 Bonds"). A brief description of The Board of Education of the County of Hancock, West Virginia (the "Board"), the Hancock County School District (the "School District") and the County of Hancock, West Virginia (the "County" or "Hancock County"), with which the School District is coterminous, is provided, together with a description of the Series 2011 Bonds and sources of payment therefor.

The Series 2011 Bonds are general obligations of the Board, and, unless paid from other sources, are payable from ad valorem taxes levied upon all taxable property within the School District, without limitation as to rate or amount.

The Board has no other outstanding Public School General Obligation Bonds.

THE SERIES 2011 BONDS

General

The Series 2011 Bonds will be dated the date of delivery, will be issued as fully registered bonds in \$5,000 denominations or integral multiples thereof, and will mature on the dates and in the principal amounts, and bear interest at the rates, all as set forth on the cover page of this Official Statement.

Pursuant to Chapter 13, Article 1 of the Code of West Virginia, 1931, as amended (the "Act"), both the principal of and interest on the Series 2011 Bonds are payable at the office of the West Virginia Municipal Bond Commission, Charleston, West Virginia, as its Paying Agent (the "Paying Agent"). The Board has designated WesBanco Bank, Inc., Wheeling, West Virginia, as the Registrar.

Interest on the Series 2011 Bonds will be payable on November 1, 2011 and semi-annually thereafter (each May 1 and November 1) in each year until maturity. Such interest will be paid by check to the registered owner on each such interest payment date at his address as shown on the registration books kept for that purpose by the Paying Agent as of the 15th day of the month preceding each such interest payment date. In the case of an owner of \$500,000 or more of the Series 2011 Bonds, interest may be paid to such owner by wire transfer to a domestic bank account specified in writing to the Paying Agent at least five days prior to an interest payment date.

Optional Redemption

The Series 2011 Bonds maturing on or after May 1, 2022, are subject to redemption on or after May 1, 2021, at the option of the Board, in whole at any time or in part on any interest payment date, from any moneys available for such purpose, at par plus interest, if any, accrued to the date fixed for redemption.

In the event of such optional redemption, the Board may direct the maturity or maturities of the Series 2011 Bonds and the amounts thereof to be redeemed, provided that the Series 2011 Bonds will be redeemed in whole multiples of \$5,000 in principal amount and in the minimum principal amount of \$50,000.

Notice of any redemption of Series 2011 Bonds shall be given by the Registrar, on behalf of the Board, to registered owners of the Series 2011 Bonds to be redeemed at least thirty (30) and not more than sixty (60) days prior to the date fixed for redemption, by registered or certified mail, at the address appearing in the Bond Register or at such other address as is furnished in writing by the registered owner to the Registrar. Failure to receive such notice or any defect therein or in the mailing thereof shall not affect the validity of any proceedings for the redemption of the Series 2011 Bonds and failure to mail such notice shall not affect the validity of any such proceedings for any Bond with respect to which no such failure has occurred. Notice of redemption having been given in the manner described herein, and moneys necessary for their redemption of the Series 2011 Bonds having been deposited, the Series 2011 Bonds specified in such notice shall, on the date fixed for redemption, become due and payable and from and after such date (unless the Board shall default in the payment of the redemption price), such Series 2011 Bonds shall cease to bear interest.

Mandatory Sinking Fund Redemption

The Series 2011 Bonds maturing on May 1, 2032, May 1, 2034 and May 1, 2036 are subject to mandatory annual sinking fund redemption of principal on May 1, in the years and in the amounts set forth below, without premium, plus interest accrued to the dates of such redemption.

Term Bonds Maturing May 1, 2032

Year	Principal Principal
2031	\$1,935,000
2032*	\$2,025,000

Term Bonds Maturing May 1, 2034

Year	<u>Principal</u>
2033	\$2,120,000
2034*	\$2,215,000

Term Bonds Maturing May 1, 2036

Year	<u>Principal</u>
2035	\$2,320,000
2036*	\$2,425,000

Authority and Purpose

Purpose

To provide funds for making certain improvements in the School District as described in "Proposed Projects" in Appendix D.

^{*}Denotes Final Maturity

Authority

The issuance of the Series 2011 Bonds and the levy of taxes sufficient to pay the interest on the principal of such Series 2011 Bonds were authorized and approved at the countywide general election held on November 2, 2010, pursuant to the Act, and to orders and resolutions duly entered and adopted by the Board. The ballot questions also included a maximum term of 25 ½ years from the date of issuance of the Series 2011 Bonds and an interest rate not exceeding 6 ¾% per annum. The canvass of said special election showed 5,214 "Yes" votes and 5,010"No" votes, 51.00% voter approval of those who participated.

In accordance with Article X, Sections 8 and 10, of the Constitution of the State of West Virginia (Section 10 is referred to as the "Better Schools Amendment") and the Act, county boards of education may, with the consent of at least a simple majority of the voters voting at an election on such questions, issue bonds for specified purposes in an amount which, when added to the aggregate indebtedness then outstanding, will not exceed 5% of the most recent assessed valuation of taxable property in the school district. Article X, Section 8, of the Constitution, and Sections 20 and 34 of the Act, require the annual levy and collection of a tax sufficient to pay the principal of and interest on such bonds.

Nature of Obligation, Security and Source of Payments

The Series 2011 Bonds will constitute valid and legally binding general obligations of the Board, and, unless paid from other sources, the principal of and interest on the Series 2011 Bonds will be payable from ad valorem taxes levied upon all taxable property within the School District, without limitation as to rate or amount. Pursuant to the Better Schools Amendment, the tax levy required to pay the principal of and interest on such bonds is laid separate and apart and in addition to the maximum levy rates otherwise authorized by law.

Debt Administration

Pursuant to Chapter 13, Article 3 of the Code of West Virginia, the West Virginia Municipal Bond Commission (the "Bond Commission") shall serve as fiscal agent for all issuers of general obligation bonds issued by counties, municipalities, and school districts of the State and is charged with the administration of the interest and sinking funds created to service the debt. The proceeds of taxes levied for debt service by the Board are collected by the Sheriff, who remits the proceeds to the Board Treasurer, who forwards the proceeds thereof to the Bond Commission. The Bond Commission is required by law to render annually to each political subdivision having outstanding bonds a statement showing the levy required to pay the interest on and create a sinking fund for the retirement of the outstanding bonds. The Bond Commission customarily sets the levy rates at 110% of the annual principal and interest required so as to provide a margin to cover the statutory 2 1/2% discount for early payment of taxes and any attrition occasioned by delinquencies, improper assessments and exonerations. There has not been a default on the payment of principal or interest of any general obligation bond in the State of West Virginia since the Bond Commission commenced centralized supervision and administration in 1921.

Since 1933, the annual State of West Virginia Budget Bill has embodied a protective provision for certain State agency and taxing district obligations, if deficiencies should arise. The following excerpt from the 2010 Budget Bill is indicative:

[Section 14]: There is hereby appropriated to the governor a sufficient amount to meet any deficiencies that may arise in the mortgage finance bond insurance fund of the West Virginia housing development fund which is under the supervision and control of the state municipal bond commission as provided by Chapter 31, Article 18, Section 20-b, of the code of West Virginia, or in the funds of the state municipal bond commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund requirements. The Governor is authorized to transfer from time to time such amounts to the state municipal bond commission as may be necessary for these purposes.

No representation is made that subsequent Budget Bills will have such provisions or that sufficient funds will be available to satisfy any such deficiencies. There has never been a default in payment of the principal of or interest on any general obligation bonds issued by The Board of Education of the County of Hancock. The enforceability of rights or remedies with respect to the Series 2011 Bonds may be limited by bankruptcy, insolvency or other laws affecting creditors' rights or remedies heretofore or hereafter enacted.

HANCOCK COUNTY SCHOOL DISTRICT

General

All school districts in West Virginia are organized under the terms of legislation enacted in 1933. There is one school district in each county, the boundaries of which district are coterminous with those of the county. The Board is responsible for and is vested with the supervision and control of the School District and with the control and management of all public schools in the School District from kindergarten through the secondary school level. The Board is composed of five members elected by the voters of the County without reference to political party affiliation. The terms of the members are for four years and are staggered. In 2012, the terms of two members will expire. The process will be repeated every two years thereafter.

Board Members' duties are established by State statute with the West Virginia Board of Education having regulatory powers. The Board appoints a superintendent who acts as the chief executive officer and secretary of the Board and who administers affairs of the School District in accordance with applicable laws, regulations, and local policies. The Board is a public corporation and as such may sue, plead and be impleaded, and enter into contracts. The School District is fiscally independent of the County and all other political subdivisions.

During the fiscal year 2010-2011, the Hancock County school system has an administrative staff of 10 with the overall responsibility to coordinate and supervise the activities of 18 school administrators, 346.5 instructional staff (teachers and other professionals), and 195.25 service personnel. Total Full Time Equivalent positions are 541.75. The estimated pupil-teacher ratio for the 2010-2011 school year was 14.56 to 1 (combined elementary, middle and secondary schools). The total student enrollment (head count) was 4,316 students K-12.

Historical School Enrollment (School Year - Enrollments are October of each year.)

Grades	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-1011
PK-EC	90	118	121	172	198	200
K	348	347	354	332	342	343
1	313	306	322	330	323	336
2	301	303	310	315	336	319
3	265	295	308	312	309	332
4	355	259	293	315	310	322
5	313	363	280	295	309	319
6	315	310	356	280	312	301
7	309	333	307	362	276	315
8	327	309	347	322	361	294
9	426	343	359	383	381	390
10	324	397	324	292	318	312
11	312	302	351	287	260	278
12	<u>300</u>	<u>307</u>	<u>273</u>	<u>331</u>	<u>278</u>	<u>255</u>
Total	4,298	4,292	4,305	4,328	4,313	4,316

Rate of Increase (Decrease) in Enrollment				
2005-2010 0.42%				
Average Annual	0.08%			

Source: Hancock County Board of Education

Projected Enrollment (School Year)

Year (October)	Enrollment
2011	4,257
2012	4,329
2013	4,297
2014	4,269
2015	4,210

Source: Hancock County Board of Education

Facilities

School	Grades	Type of Construction	Date of Construction	Renovations or Additions
A.T. Allison Elementary	K-4	Load Bearing Masonry	1963	1984
Broadview Elementary	PK-4	Load Bearing Masonry	1954	1956; 1987
Liberty Elementary	K-4	Load Bearing Masonry	1939	1988
New Monchester Elementary	PK-4	Load Bearing Masonry	1960	1988
Weirton Height Elementary	K-4	Load Bearing Masonry	1925	1927;1938;1955;1984
Oak Glen Middle School	5-8	Load Bearing Masonry	2005	None
Weir Middle School	5-8	Load Bearing Masonry	1963	1989; 2010
Oak Glen High School	9-12	Load Bearing Masonry	1963	1985; 1991; 2005
Weir High School	9-12	Load Bearing Masonry	1963	1984; 1991; 2010
J.D. Rockefeller IV Career Center	Vocationa / Technica	l Load Bearing Masonry l	1981	1992

Source: Hancock County Board of Education

Tax Collection Procedures

All taxes for real estate and personal property are collected by the Hancock County Sheriff (the "Sheriff") and are remitted by him to the State and other local levying bodies. Public utility taxes are collected directly by the State Auditor (the "Auditor") and are remitted by him to the Sheriff for distribution. Tax statements are mailed by the Sheriff's office in July, and they may be paid in two installments. The first half of the tax is subject to a 2 ½% discount if paid by September; thereafter, the amount payable is net until October 1, after which a 9% penalty is added. Likewise, the second half is subject to a 2 ½% discount if paid by March 1, net to April 1, and 9% penalty thereafter. The Sheriff, after ascertaining which taxes are delinquent, shall on or before May 1 next succeeding the year for which taxes are assessed, prepare delinquent lists, which shall be posted at the front door of the courthouse and published as a legal advertisement at least two weeks prior to the presentation to the County Commission for examination. After examination and correction, the Commissioners shall certify such lists pertaining to real property to the Auditor not later than July 1. On or before September 10, the Sheriff shall prepare a second list of delinquent taxes, as of September 1, together with a notice of sale for properties upon which such taxes are due. If not redeemed before, such properties shall be sold at public auction at the courthouse on any Monday after October 14, and before November 23. No such sale shall be made for any

sum less than the total amount of taxes, interest charges then due. The former owner of any real or personal property so purchased by the State, or any other person who is entitled to pay the taxes thereon, may redeem such real or personal property from the Auditor at any time within the eighteen months after the date of such purchase. The Auditor reports monthly to the Sheriff, the County Assessor and the Clerk of the County Commission all properties in the County which were redeemed in his office during the preceding month. The Auditor, each month, draws his warrant upon the State treasury payable to the Sheriff of the County for that part of the taxes, interest and charges received by him upon the redemption of the property included in his report which was owing to any of the taxing units in the County. The Sheriff accounts for and pays over such money as if it had been paid to him before sale and redemption.

Tax Levies and Collections*

Year	Projected Gross Tax (\$) at 100%	Projected Net Tax Collected (\$) at 92-93% Less Assessors Fee	Actual Collected (\$)	Actual Collected (%)
2004-2005				\
General Current	5,691,734	5,236,395	5,702,645	100.2%
Excess Levy	5,738,980	5,279,862	5,772,433	100.6%
2005-2006				
General Current	5,826,477	5,360,359	5,926,603	101.7%
Excess Levy	5,874,843	5,404,856	6,019,373	102.5%
2006-2007		• •		
General Current	6,106,135	5,617,644	6,166,607	101.0%
Excess Levy	6,288,863	5,785,754	6,382,274	101.5%
2007-2008		- ,		
General Current	5,964,087	5,486,960	6,070,344	101.8%
Excess Levy	6,348,374	5,840,504	6,490,826	102.2%
2008-2009		, ,		
General Current	5,793,067	5,329,622	5,872,178	101.4%
Excess Levy	6,166,332	5,673,025	6,314,674	102.4%
2009-2010		•		
General Current	6,010,013	5,529,212	5,994,282	99.7%
Excess Levy	7,109,784	6,541,001	7,181,158	101.0%

^{*}Source: Hancock County Board of Education

Assessment Procedure

State statutes provide that all property must annually be assessed as of the first day of July. Assessment on this day is the basis for the following year's property taxes. The assessor must complete his compilation of the land and personal property books not later than January 30. The county commission, not later than February 1, must meet for the purpose of sitting as a board of equalization and review of such assessment books. After completion of the review and assessment the commission certifies and returns the property books to the assessor. Appeal of any assessment may be made to the circuit court of the county within 30 days after adjournment of the county commission sitting as a board of equalization and review. The assessor annually, not later than March 3, must furnish a certified statement to certain government bodies in the county, including the board of education, showing the aggregate value of all real and personal property. During the month of March the county commissions, the county boards of education and municipal governments prepare their budgets for the fiscal year which begins the following July. After these budgets are approved, these governments officially set the tax rate for the coming year sufficient to pay budgeted expenses not expected to be paid from other sources. For example, the 2010 assessment year valuations are made as of July 1, 2009, with taxes levied and collected during the fiscal year July 1, 2010, through June 30, 2011.

The State Tax Commissioner has the responsibility for preparing tentative valuations for all public utility property in the State and providing these valuations to the Board of Public Works of the State for actual assessment of such property. The Board of Public Works reviews all assessments made, makes such corrections as it deems proper, conducts hearings to entertain protests from the public utilities involved, and fixes the assessments in final form. After such assessments are made, they are allocated by the State Auditor to the various counties in which the utility property is located, such allocation being approved by the Board of Public Works.

Property Classification

Article X, Section 1, of the Constitution of West Virginia and Chapter 11, Article 8, Section 5 of the Code of West Virginia of 1931, as amended, created four classifications of property for which the tax rates, but not the assessed values, are limited. These tax classifications are as follows: Class I - all tangible personal property employed exclusively in agriculture, all products of agriculture while owned by the producer; Class II - owner-occupied residential property and certain farm lands; Article 10, Section 1b of the Constitution of the State of West Virginia and Chapter 11, Article 6B, Section 3 of the West Virginia Code of 1931, as amended, provides that the first twenty thousand dollars of assessed valuation of any real property, or of personal property in the form of a mobile home, used exclusively for residential purposes and occupied by the owner or one of the owners thereof as his residence, who is a citizen of the State and is sixty-five years of age or older or is certified as being permanently disabled, shall be exempt from ad valorem property taxation. Only one exemption shall be allowed for each homestead used and occupied exclusively for residential purposes by the owner thereof, regardless of the number of qualified owners residing therein; Class III - all real and personal property, other than Class I and II property, situate outside of municipalities; Class IV - all real, and personal property, other than Class I and II situate within municipalities. Public utility property falls within Class III or Class IV, as appropriate.

Assessed Valuations

The Hancock County School District includes all of Hancock County and has the same assessed valuation of property therein as does the entire county. Chapter 11, Article 1C of the West Virginia Code (the "Property Valuation Act") requires all assessors to appraise all property at fair market value (except for certain farm property), within three years. The State Tax Commissioner is required to monitor the assessors in the performance of their duties, and is required to perform the valuation process on industrial and natural resources property within the aforesaid three year period. The Property Valuation Act limits the increase in property taxes that could result from the new calculations to one percent per year, unless, in the case of school boards, the legislature, after a public hearing, deems a greater increase is necessary. The Property Valuation Act requires that all property except farms and managed timberlands be assessed at 60% of Fair Market Value at the end of the 3 year reappraisal cycle, which became effective July 1, 1994.

Assessed Valuation By Property Class*

Class	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011
T	14,302	8,962	0	0	0
II	351,601,997	352,567,638	351,468,280	354,673,830	353,058,280
	292,358,954	306,704,348	308,567,227	343,616,585	349,967,825
III		285,577,554	262,227,929	253,532,707	247,574,024
<u>IV</u>	<u>293,199,935</u>		922,263,436	951,823,122	950,600,129
Total	937,175,188	944,858,502	922,203,430	751,025,122	

Assessed Valuation By Property Category*

Category	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011
Real	570,943,290	572,628,790	575,042,210	563,531,740	561,678,320
Personal	321,877,438	327,070,071	301,620,273	328,146,477	318,928,933
Public Utility	44,354,460	45,159,641	45,600,953	60,144,905	<u>69,992,876</u>
Total	937,175,188	944,858,502	922,263,436	951,823,122	950,600,129
10tai	951,175,100	711,000,000			

^{*}Excludes property from ad valorem property taxation pursuant to the Homestead and Taxation Amendment. The amount of Class II property so excluded amounted to:

72,250,352	in 2006-2007	72,410,894	in 2008-2009	72,135,920	in 2010-2011
71,820,856	in 2007-2008	72,172,850	in 2009-2010		

Source: State Tax Department

Largest Assessed Valuations (2010)*

Property Owner	Assessed Valuation (\$)
Mountaineer Park Inc	\$73,160,952
Ergon Inc	\$60,986,831
Arcelormittal	\$60,634,456
Linde Inc	\$25,030,325
Homer Laughlin Inc	\$21,985,451
Bellofram	\$7,153,706
National Church Supply	\$4,308,534
Automatic Timing and Controls	\$3,232,790
AL Solutions	\$2,317,407
Newchem Inc	\$1,926,821

^{*}The assessed valuations include real and personal property in Class III or IV. Non-Taxable Property was not included in this chart.

Source: Hancock County Assessor

Tax Rate Comparisons*

The following shows Hancock County property taxes in **cents per \$100** assessed valuation (this includes all state, county and school rates, in comparison with a few select surrounding counties, for tax year 2010; Fiscal Year 2010-2011.

County	Class I	Class II	Class III/IV
Hancock	58.82	117.64	235.28
Brooke	66.99	133.98	267.96
Marshall	59.74	119.48	238.96
Ohio	56.75	113.50	227.00

^{*}Includes the total levy for State, County and schools in each County.

Source: West Virginia State Auditor

County Tax Rates

Except as hereinafter stated, the maximum tax rates allowed by the Constitution of West Virginia for the four classifications of property are as follows: Class I - \$.50 per \$100 assessed valuation; Class II - \$1.00 per \$100 assessed valuation; Class III - \$1.50 per \$100 assessed valuation.

The maximum tax rates described above are divided among the several levying bodies by statute. Under Chapter 11, Article 8 of the Code of West Virginia of 1931, as amended, the maximum levy rates available to the County without approval by the voters is as follows: Class I - 14.3 cents per \$100 assessed valuation; Class II - 28.6 cents per \$100 assessed valuation; Class III - 57.2 cents per \$100 assessed valuation.

These rates of levy may not be exceeded except that a local levying body may provide for an election to increase such rates within the respective taxing unit at either a general or special election. If at least 60% of the voters voting in the election cast their ballots in favor, property tax levy rates may be increased by up to 50% by municipalities and counties. If at least 50% of the voters voting in the election cast their ballots in favor, property tax levy rates may be increased by up to 100% by boards of education. The increased levies may not continue for more than five years without resubmission to the voters.

School Tax Rates (Source: West Virginia State Auditor)

Taxes for school purposes are uniform throughout the County. In accordance with Chapter 11, Article 8, Section 6c of the Code of West Virginia of 1931, as amended, the tax limit for school current expenses and school permanent improvement purposes combined is \$0.2295 per \$100 assessed valuation in respect to Class I, \$0.4590 per \$100 in respect to Class II, and \$0.9180 per \$100 in respect to Classes III and IV. By favorable vote of at least a simple majority of the voters in an election, the above limitations may be increased by up to 100% for a period of five years, after which an election must again be held. Further, a county board of education is required to levy outside the rates provided by Chapter 11, Article 8, Section 6c, sufficient to pay the principal and interest requirements on bonds issued by the school district not exceeding five percent of the assessed value of all taxable property in the school district, in the manner provided by the Better Schools Amendment.

School Current Levy

Class	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011
Ĭ	20.05	19.40	19.40	19.40	19.40
п	40.10	38.80	38.80	38.80	38.80
III and IV	80.20	77.60	77.60	77.60	77.60

School Excess Levy

CI)	2007	2007-2008	2008-2009	2009-2010	2010-2011
Class	2006-2007	2007-2008			
I	20.65	20.65	20.65	22.95	22.95
п	41.30	41.30	41.30	45.90	45.90
III and IV	82.60	82.60	82.60	91.80	91.80

Rates of Levy

The tax rates for citizens of the County, including those imposed by the Hancock County Board of Education, but not including those relating to the proposed bond issue, in cents per \$100 assessed valuation for the 2010-2011 fiscal year, are as follows:

Tax Type	Class I	Class II	Class III/IV
State Current	.25	.50	1.00
County Current	14.30	28.60	57.20
County Excess	1.92	3.84	7.68
School Current	19.40	38.80	77.60
School Excess	22.95	45.90	91.80

In addition to the rates of levy established for State, County and School purposes, the municipalities within the County have additional rates of levy in effect as shown in the following table, in cents per \$100 assessed valuation for the 2010-2011 fiscal year.

Municipality	Class I	Class II	Class IV
Chester	12.48	24.96	49.92
New Cumberland	18.75	37.50	75.00
Weirton	12.50	25.00	50.00

Source: West Virginia State Auditor

As heretofore stated, under Article X, Sections 8 and 10 of the Constitution of the State of West Virginia and the Act, the Board may issue bonds for certain purposes in an amount which, when added to the aggregate indebtedness then outstanding, will not exceed 5% of the most recent assessed valuation of taxable property in the School District as of the date of bond authorization. Under such constitutional and statutory standard the computation of debt limit of the School District and its debt contracting margin are as follows:

Summary of Statistical Debt Information

Population (2009)	29,729
Assessed Valuation*	950,600,129
Debt Limit (5% of Assessed Valuation)	47,530,006
Outstanding Debt (Including the Series 2011 Bonds)	37,000,000
Debt Contracting Margin	10,530,006
Per Capita Debt	1,244.58
Outstanding Debt as percentage of Assessed Valuation	3.89%

^{*}Assessed Value is estimated to be approximately 60% of appraised or market value (Assessment Year 2010, Fiscal Year 2011).

Debt Service Requirements

Upon issuance of the Series 2011 Bonds, based on the interest rates and yields set forth on the cover page, the Board will have the following debt:

Schedule of Bond Indebtedness

Year Ending	Series 2011	Series 2011	TOTAL
June 30	Principal (\$)	Interest (\$)	(\$)
2012	595,000	1,757,538.75	2,352,538.75
2013	865,000	1,521,600.00	2,386,600.00
2014	900,000	1,495,650.00	2,395,650.00
2015	945,000	1,468,650.00	2,413,650.00
2016	985,000	1,440,300.00	2,425,300.00
2017	1,030,000	1,410,750.00	2,440,750.00
2018	1,080,000	1,379,850.00	2,459,850.00
2019	1,130,000	1,347,450.00	2,477,450.00
2020	1,180,000	1,290,950.00	2,470,950.00
2021	1,235,000	1,255,550.00	2,490,550.00
2022	1,290,000	1,215,412.50	2,505,412.50
2023	1,350,000	1,150,912.50	2,500,912.50
2024	1,415,000	1,083,412.50	2,498,412.50
2025	1,480,000	1,012,662.50	2,492,662.50
2026	1,545,000	953,462.50	2,498,462.50
2027	1,620,000	891,662.50	2,511,662.50
2028	1,695,000	826,862.50	2,521,862.50
2029	1,770,000	754,825.00	2,524,825.00
2030	1,850,000	679,600.00	2,529,600.00
2031	1,935,000	598,662.50	2,533,662.50
2032	2,025,000	511,587.50	2,536,587.50
2033	2,120,000	420,462.50	2,540,462.50
2034	2,215,000	325,062.50	2,540,062.50
2035	2,320,000	225,387.50	2,545,387.50
2036	<u>2,425,000</u>	<u>115,187.50</u>	<u>2,540,187.50</u>
TOTAL	37,000,000	25,133, 451.25	62,133,451.25

Overlapping Debt

There is no overlapping county or city general obligation debt.

CERTAIN FINANCIAL INFORMATION

Description of Funds

The accounts of the Board are organized on the basis of funds, each of which constitutes a separate entity for accounting procedures. For reporting purposes the various funds are organized into the following major groups:

1. Debt Service Fund

The Debt Service Fund is a separate and distinct fund used only as an "Interest and Sinking Fund" to meet the demands of maturing bonds and bond interest payments.

Taxes levied on real and personal property (other than public utility property), to be used to make Debt Service Fund payments, are collected by the Sheriff, while taxes levied on public utility property to be used to make Debt Service Fund payments are collected by the State Auditor and remitted to the Sheriff. Collections are transferred periodically to the Bond Commission. The Bond Commission, in turn, disburses funds to meet the payment of bonds and bond interest payments as well as paying agency fees. From time to time, the Commission invests amounts in the Debt Service Fund that are in excess of payment schedules and credits the interest income to the Debt Service Fund. (See "Investment of Certain Funds").

2. Bond Construction Fund

The Bond Construction Fund is a separate and distinct fund consisting of proceeds from the sale of bonds authorized by an election, from State School Building funds and from special funds that are categorically identified and authorized to supplement local bond proceeds or State School Building funds. Expenditures are generally restricted to capital outlay purposes by the bond election call, by special funding agreements or by the State Board of Education in approving specific building projects.

3. Capital Projects Fund

The Capital Projects Fund accounts for financial resources used to acquire or construct specific major capital facilities other than by the sale of bonds or the reservation of monies in a permanent improvement fund. A separate fund may be established for each specific capital project.

4. General Current Expense Fund

The General Current Expense Fund is a separate and distinct fund and is used for all general operating purposes except for revenues and expenditures that are contained in the Debt Service Fund and the Bond Construction Fund. Revenues generally come from: (1) general and special levy taxes, (2) other local or miscellaneous revenues, (3) State aid to counties for restricted and unrestricted purposes, and (4) Federal aid received directly or through the State, usually categorical or restricted.

5. Special Revenue Fund

Accounts for the financial resources of the Board, which are restricted either legally or by the grantor.

Investment of Certain Funds

Proceeds of tax collections relating to the Series 2011 Bonds which are transferred to the Bond Commission will be invested in the Consolidated Fund managed by the West Virginia State Treasurer's Office. The West Virginia Board of Treasury Investments is governed by a Board of Trustees consisting of the Governor, the State Auditor, the State Treasurer and two members appointed by the Governor. The Bond Commission currently invests its funds in The Consolidated Fund's Government Money Market Pool. Investments are limited to U.S. Government obligations, select U.S. Government Agency-guaranteed obligations or repurchase agreements with average maturities not to exceed 90 days.

Accounting Practices

The financial statements are prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to local governmental units. The Governmental Accounting Standard Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The district-wide statements (Statement of Net Assets and the Statement of

Activities) are prepared using the economic resources measurement focus and the full accrual basis of accounting. The governmental fund financial statements (Balance Sheet- Governmental Funds and the Statement of Revenues, Expenditures, and Changes in Fund Balances- Governmental Fund) were prepared using the current financial resources measurement focus and the modified accrual basis of accounting.

Annual Audit

An annual audit of accounts is prepared by the State Auditor or an independent certified public accounting firm approved by the State Auditor. The audit is conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Budgetary Procedures

Prior to the beginning of each fiscal year, the Board develops a fiscal plan consisting of contemplated expenditures. The annual budget development process is customarily developed along the following guidelines and in accordance with a budget calendar summarized as follows:

July	Overall goals are revised and established by the Board. Implementation and
	valuation of Board goals are established by the superintendent.

Student enrollment and personnal employee numbers are gothered system wide

October Student enrollment and personnel employee numbers are gathered system wide to determine State aid funding basis for subsequent fiscal year.

November- All staffing reviewed. Personnel reductions and additions are determined by local school councils, the public, the administration and the superintendent.

January- Preliminary forecasts of revenues and expenditures are determined by administration. Non-salary items reviewed.

March Assessed valuations and preliminary State aid calculations received on or about March 3. The Board is required to ascertain the fiscal condition of the School District and determine the amount to be raised by the levy of taxes. Proposed levy rates must be submitted to the State Tax Commissioner and State Board of

Education by March 28.

On the third Tuesday in April, the Board officially enters all levies for the coming year by ordering the levy of taxes commencing July 1. The proposed budget must be made available for public inspection for ten days and must be published in local newspapers for two weeks prior to the budget hearing.

A public hearing shall be held concerning the operating budget not less than 10 days after such budget has been made available for public inspection. The Board is required to submit a budget to the State Board of Education and State Tax Commissioner no earlier than 10 days after receipt of the final State aid computations.

Board advised of ending balances for previous fiscal year. Board and administration evaluate status for current fiscal obligations in relation to ending balances and established budgetary changes necessitated.

Internal Control

April/May

September

The system of internal control includes budgetary control, periodic operating reports and statistical analyses. The system checks the accuracy and reliability of its accounting data, promotes operational efficiency and encourages prescribed managerial policies.

The system provides segregation of functional responsibilities and control over assets, liabilities, revenues and expenses. Responsibilities and delegations of authority are assigned by the superintendent and Board in accordance with State Board of Education policy and advice of the State Auditor.

Statement of Revenues and Expenditures -- Budget and Actual

Revenues, Expenditures and Changes in Fund Balance – Regulatory Basis Budget and Actual General Current Expense Fund Year ended June 30

	2009	2009	2010	2010	2011
	Budget (\$)	Actual (\$)	Budget (\$)	Actual (\$)	Budget (\$)
	(Ψ)	(Ψ)	(Ψ)	(\$)	(Ψ)
Revenues:					
Property Taxes	11,965,334	12,186,852	13,210,864	13,175,439	13,035,830
Other Local Sources	313,224	311,328	1,031,395	480,678	531,500
State Sources	22,265,218	22,265,218	22,623,767	21,010,465	20,622,520
Federal Sources	805,000	975,674	1,000,000	979,417	1,000,000
Miscellaneous Sources			12,500		12,500
Total Revenues Collected	35,348,776	36,738,283	37,878,526	36,645,999	35,202,350
Expenditures:					:
Instruction*	21,339,226	22,061,001	20,480,155	20,049,208	19,317,785
Supporting Services:					
Students	1,072,875	1,069,431	1,691,965	1,130,496	1,934,041
Instructional Staff	359,183	378,433	382,074	377,834	373,742
Central Administration	1,883,616	1,863,349	2,342,350	6,092,665	2,005,855
School Administration	2,432,504	2,457,714	2,445,906	2,401,336	2,455,551
Business	799,099	813,930	848,537	756,669	875,741
Operation & Maintenance of Facilities	4,330,253	4,083,973	5,645,181	4,390,081	5,462,648
Student Transportation	3,067,339	3,002,982	3,290,811	3,009,372	3,294,142
Food Services	3,000	31,178	2,000	1,912	16,000
Community Services	33,010	33,010	40,000	40,000	
Capital Outlay	415,000		445,347	<u>444,666</u>	
Total Expenditures	35,735,105	35,795,001	37,614,326	39,234,238	35,735,505
Excess (Deficiency) of Revenues over Expenditures	(386,329)	943,282	264,200	(3,558,239)	(533,155)
Other Financing Sources (Uses)					
Transfers in	97,500	34,383	100,000	45,617	75,000
Transfers (out)	(659,754)	<u>(670,168)</u>	(650,000	(650,000)	(526,355)
Total other financing sources (uses)	(562,254)	(635,785)	(550,000)	(604,383)	(451,355)
Net change in Fund Balance	(948,583)	307,497	(285,000)	(4,192,622)	(984,510)
Fund Balance – beginning, as restated (July 1)	984,583	684,194	285,800	1,004,809	984,510
Fund Balance – ending (June 30)		993,691		(3,187,813)	

Source: Hancock County Board of Education

^{*}This includes \$4,349,855 OPEB Liabilities for Fiscal Year 2010 (2009-2010 Actual)

<u>Insurance Coverage</u> (Source: Hancock County Board of Education)

. Typ	e		Amount in I	Force (FY 2011)
	Fire, extended coverage/building	ngs & personal property	\$1,0	00,000 per occurrence
	Public official position bond:	Superintendent	\$ 10,000	
	_	Board President	\$ 10	0,000
		Treasurer	\$300	0,000
Blanket Bond		\$		
	Fidelity Honesty Bond (all em	ployees)	\$	0
	Money & Securities (all employees)		\$	0
	Deductible - \$2,500 per occurr	ence		

Liability Insurance: The Board is insured for the coverage indicated below under a general liability policy and an automobile policy issued to the State of West Virginia by National Union Fire Insurance Co. of Pittsburgh, Pennsylvania. The Board is an Additional Insured under the policies for a coverage period July 1, 2010 to July 1, 2011. The Board is insured for the following coverages:

Comprehensive general liability insurance
Personal injury liability insurance
Professional liability insurance
Stop gap liability insurance
Wrongful act liability insurance
Comprehensive auto liability insurance
Auto physical damage insurance, including comprehensive and collision, and Garagekeepers insurance.

2. Limits of Liability

1.

EACH OCCURRENCE. \$1,000,000 each occurrence for all coverage combined. This limit is not increased if a claim is insured under more than one coverage or if claim is made against more than one insured.

SPECIAL LIMITS. The auto physical damage limit is the actual cash value of each vehicle subject to a deductible of \$1,000.00 for private passenger vehicles or \$1,000 for other vehicle types including mobile equipment.

DEFENSE COSTS. Defense costs are in addition to each occurrence limit of liability.

Source: Hancock County Board of Education

Teachers Retirement Systems (Source: West Virginia Consolidated Public Retirement Board)

Teachers Retirement System (Defined Benefit)

The Teachers Retirement System (TRS), established in 1941, is a multiple employer defined benefit cost sharing public employee retirement plan covering all full-time employees of the 55 county public school system, certain personnel of the 16 state-supported higher education institutions, and employees of the State Department of Education. As of July 1, 2009, there are 35,701 active members and 29,245 retirees. The plan reopened for new members as of July 1, 2005.

Members contribute 6% of annual earnings. Employers contribute 15% or 7.5% of a member's annual earnings. A member who withdraws from service for any cause other than death, retirement or disability, may request the accumulated employee contributions plus interest be refunded. TRS provides retirement benefits, as well as death and disability benefits.

The most recent actuarial valuation of TRS was performed July 1, 2009 by Buck Consultants. The asset valuation method utilizes market value to place a value on assets. The actuarial cost method valuation utilized entry age cost with individually computed accrued liabilities, including an earnings assumption of 7.5% annually, net after expenses. As of July 1, 2009, the unfunded liability of TRS was \$5.053098 billion. The funded percentage was 41.3%. The TRS unfunded accrued liability should be extinguished on or about June 30, 2034.

Teachers' Defined Contribution Retirement System

The Teachers' Defined Contribution Retirement System (TDC) is a multiple employer defined contribution retirement system covering primarily full-time employees of the State's 55 county public school systems, the State Department of Education, and School for the Deaf and Blind hired after June 30, 1991. The system includes former TRS plan members, including higher education employees, who elected to transfer into or participate in TDC. The plan closed for new members as of July 1, 2005.

As of July 1, 2008, there were approximately 5,155 members in the TDC. Benefits depend solely on amounts contributed to the plan plus investment earnings. Employees are required to participate from the date of employment. Members may choose from thirteen (13) separate investment options.

Employees contribute 4.5% of their gross compensation and employers contribute 7.5% of covered members' gross compensation from amounts allocated to the employers through the State School Aid formula. Employer contribution for each employee (and interest allocated to the employee's account) become partially vested after six (6) years and fully vested after twelve (12) years of complete service. Employer contributions and earnings thereon forfeited by employees who leave employment prior to becoming fully vested are available, in the event the employee does not return to active participant status within five (5) years, to reduce the employer's current-period contribution requirement. Benefits depend solely on the amounts contributed plus net investment earnings thereon.

TDC Transfer to TRS

In 2008, the West Virginia Legislature enacted legislation authorizing members of the TDC to elect to voluntarily transfer to TRS. For the transfer to occur the legislation required that at least 65% of members of TDC as of December 31, 2007 to elect the transfer. Over 78% of actively contributing TDC members elected to transfer to TRS. Approximately 15,152 TDC members were transferred to TRS on July 1, 2008.

TAX MATTERS

In the opinion of Bond Counsel, (a) under existing laws, regulations, published rulings and judicial decisions of the United States of America, as presently written and applied, interest on the Series 2011 Bonds is excludable from gross income of the owners thereof for federal income tax purposes, under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals or corporations upon the conditions and subject to the limitations set forth in this section, and (b) under existing West Virginia Law, the Series 2011 Bonds are exempt from all taxation by the State of West Virginia or any political subdivision thereof.

The Code imposes various restrictions, conditions and requirements relating to the exclusion from gross income for federal income tax purposes of interest on obligations such as the Series 2011 Bonds. The Board has covenanted to comply with certain restrictions designed to ensure that interest on the Series 2011 Bonds will not be included in federal gross income. Failure to comply with these covenants may result in interest on the Series 2011 Bonds being included in gross income for federal income tax purposes, possibly from the date of original issuance of the Series 2011 Bonds. The opinion of Bond Counsel assumes compliance with these covenants. Bond Counsel has not undertaken to determine (or to inform any person) whether any actions taken (or not taken) or events occurring (or not occurring) after the date of issuance of the Series 2011 Bonds may adversely affect the value of, or the tax status of interest on, the Series 2011 Bonds. Further, no assurance can be given that pending or future legislation or amendments to the Code, if enacted into law, or any proposed legislation or amendments to the Code, will not adversely affect the value of, or the tax status of interest on, the Series 2011 Bonds. Prospective purchasers of the Series 2011 Bonds are urged to consult their own tax advisors with respect to proposals to restructure the federal income tax.

Although Bond Counsel is of the opinion that interest on the Series 2011 Bonds is excluded from gross income for federal income tax purposes, the ownership or disposition of, or the accrual or receipt of interest on, the Series 2011 Bonds may otherwise affect an owner's federal tax liability. The nature and extent of these other tax consequences will depend upon the particular tax status of the owner or the owner's other items of income or deduction. Bond Counsel expresses no opinion regarding any such other tax consequences.

Future legislative proposals, if enacted into law, clarification of the Code or court decisions may cause interest on the Series 2011 Bonds to be subject, directly or indirectly, to federal income taxation or to be subject to or exempted from state income taxation, or otherwise prevent beneficial owners from realizing the full current benefit of the tax status of such interest. The introduction or enactment of any such future legislative proposals, clarification of the Code or court decisions may also affect the market price for, or marketability of, the Series 2011 Bonds. Prospective purchasers of the Series 2011 Bonds should consult their own tax advisors regarding any pending or proposed federal or state tax legislation, regulations or litigation, as to which Bond Counsel expresses no opinion.

The opinion of Bond Counsel is based on current legal authority and represents Bond Counsel's judgment as to the proper treatment of the Series 2011 Bonds for federal income tax purposes. It is not binding on the Internal Revenue Service ("IRS") or the courts. Furthermore, Bond Counsel cannot give and has not given any opinion or assurance about the future activities of the Board, or about the effect of future changes in the Code, the applicable regulations, the interpretation thereof or the enforcement thereof by the IRS. The Board has covenanted, however, to comply with the requirements of the Code.

Bond Counsel's engagement with respect to the Series 2011 Bonds ends with the issuance of the Series 2011 Bonds, and unless separately engaged, Bond Counsel is not obligated to defend the Board or the beneficial owners regarding the tax-exempt status of the Series 2011 Bonds in the event of an audit examination by the IRS. Under current procedures, parties other than the Board and its counsel, including the beneficial owners, would have little, if any, right to participate in the audit examination process. Moreover, because achieving judicial review in connection with an audit examination of tax-exempt bonds is difficult, obtaining an independent review of IRS positions with which the Board legitimately disagrees may not be practicable. Any action of the IRS, including but not limited to selection of the Series 2011 Bonds for audit, or the course or result of such audit, or an audit of bonds presenting similar tax issues may affect the market price for, or the marketability of, the Series 2011 Bonds, and may cause the Board or the beneficial owners to incur significant expense.

LITIGATION IN THE STATE CONCERNING THE SCHOOL FINANCING SYSTEM

The School District may be affected by litigation pending in the courts of the State of West Virginia with potential impact on local taxes for school purposes similar to the litigation which has continued in certain states, such as <u>Serrano v. Priest</u> in California, challenging the constitutionality of present systems of levying taxes and applying funds for public school purposes.

On May 11, 1982 in the matter entitled <u>Pauley v. Bailey</u>, a special judge of the Circuit Court for Kanawha County held that the West Virginia school finance system violates the West Virginia Constitution and that inequities in the levels of funding for various counties were attributable to undue reliance on excess levies which favored property-rich counties. By order of March 4, 1983, a master plan prepared by the State Board of Education and State Superintendent of Schools was filed as part of the record in the case. The court expressed its intention that the master plan be viewed as a proposal to the State Legislature for implementing, by statute, a constitutional system of financing public education. No legislation resolving the question was adopted during the 1984 legislative session, and on January 8, 1985, the plaintiffs moved the court to address the excess levy problem. On December 3, 1985, the court ordered that if the legislature did not, by July 1, 1987, replace or equalize excess levy revenues by one of the methods enumerated in such order, the court would direct a more equitable distribution. The legislature then adopted a constitutional amendment authorizing a statewide excess levy. The proposed amendment was to be submitted to the voters in a special election to be held March 5, 1988. The court entered a supplemental order on June 29, 1987, providing that if the statewide excess levy was not approved by the voters, a sum equal to 20% of each county's excess levy revenues in fiscal year 1988-89 (to be increased by an additional 20% in each of the next four fiscal years) would be withheld and distributed "on an equitable basis described by the court." The statewide excess levy amendment was defeated at the special election and the supplemental order became operative. However, on April 8, 1988, the state tax commissioner, the auditor and 33 county boards of education petitioned the Supreme Court of Appeals of West Virginia for a writ of prohibition to bar enforcement of the supplemental order. On November 23, 1988 in State ex rel. the Boards of Education of the Counties of Upshur et al, the Supreme Court of Appeals issued the writ of prohibition, and noting that the court below had plainly exceeded its legitimate powers by the entry of an unconstitutional order, found the existing excess levy provision not violative of the State Constitution. The Supreme Court of Appeals

suggested therein that it would be appropriate for the lower court to consider whether a statewide reappraisal should be ordered to be implemented to remedy the school financing problem.

In May of 1995 a Motion to join the President of the State Senate and the Speaker of the State House of Delegates as defendants in <u>Pauley</u> was granted by the Circuit Court. The Circuit Court later reconsidered this Motion and the President of the State Senate and the Speaker of the House of Delegates are no longer defendants. Additionally, with the motion to join defendants, the plaintiffs moved the Circuit Court for an order enforcing the judgment previously entered including establishment of a timetable for implementation of the Master Plan for Public Education and a timetable for implementation of changes to the system of financing public education in West Virginia. A trial was scheduled for July 3, 2000. However, prior to going to trial, the parties reached a settlement with regard to a number of the issues.

Finally, on January 3, 2003, <u>Pauley</u> was dismissed and dropped from the active docket of the court. The court stated in its Memorandum of Opinion and final Order the following:

- 1. The plaintiff class's request to compel the West Virginia Legislature to remove the net enrollment caps in Steps 1 and 2 of the Foundation Allowance to provide additional professional and service personnel of the county as embraced within West Virginia Code §18-9A-1, et seq., and the use of a density mileage factor within the Foundation Allowance is hereby DENIED.
- 2. The decision of the honorable Dan C. Robinson that the School Financing Formula as embraced within West Virginia Code §18-9A-1, et seq., was constitutionally deficient is hereby vacated and held for naught; and
- 3. West Virginia Code §18-2E-5 is specifically found to satisfy the requirements of W.Va. Const. Art. XII §1 to the extent that the Legislature has provided, by public law, for a thorough and efficient system of free schools.
- 4. There being no further need to maintain continuing jurisdiction in this matter, this case shall be dismissed and dropped from the active docket of this Court, to all of which action all parties' objection is hereby preserved.

On December 28, 1990, a class action was filed against the State Superintendent of Schools, the West Virginia Board of Education and the School Building Authority of West Virginia in the United States District Court for the Southern District of West Virginia by a group of plaintiffs alleging improper action by defendants in following a policy of approval of segregated outbuildings for special education students and expenditures therefor. (Harris et. al. v. Marockie, et. al.). The action also alleged that defendants have discriminated against the plaintiff class by failure to protect them from improper behavioral control procedures by County Boards of Education, failure to monitor or enforce educational standards and failure to provide adequately trained instructors.

Plaintiffs requested relief in the form of various declaratory and injunctive measures to remedy the alleged improprieties, including submission of a plan to alleviate alleged constitutional and legal deficiencies in special education in the State. No monetary damages were stated in the complaint. On July 10, 1991 a Settlement Agreement was approved by the District Court. The Settlement Agreement, as approved by the District Court, provided inter alia that the State School Building Authority would, in the application process and before disbursement of monies to local boards of education, obtain sufficient information to assure that no projects approved or funded would permit segregated outbuildings, segregated schools or inappropriately located self-contained classrooms in regular buildings in which classrooms are not contiguous to or in proximity with classrooms of age-appropriate, non-handicapped children or that permits a county to continue the existence of such an outbuilding, school or classroom.

In the opinion of Bond Counsel, the final resolution of the <u>Pauley</u> and <u>Harris</u> decisions by the courts of the State will not affect the validity or binding obligation, nature of the Series 2011 Bonds or modify the right of the holders thereof to ultimate recourse to unlimited ad valorem taxes upon all the taxable property within the School District for the payment of the Series 2011 Bonds if not paid from other sources.

LITIGATION

In the ordinary conduct of its affairs, the Board is party to litigation pending in the courts of the State. The Board engages counsel to represent the Board on various matters. The Secretary of the Board has reviewed the current status of all pending and threatened litigation with such counsel, and expresses the opinion of the Board that while the outcome of litigation cannot be predicted, it is nevertheless not probable that Board liability in any such matters is likely to have a material adverse affect on the financial condition of the Board.

At the time of payment for and delivery of the Series 2011 Bonds, the purchasers will be furnished with a certificate of the Secretary of the Board that there is no litigation pending or threatened affecting the validity of the Series 2011 Bonds or any of the proceedings taken with respect to the issuance and sale thereof or the levy or collection of any taxes to pay the principal of or interest on the Series 2011 Bonds. Such certificate shall also state that there is no litigation pending or threatened against the Board which materially adversely affects the financial condition of the Board.

CONTINUING DISCLOSURE

The Board has covenanted for the benefit of the Owners of the Series 2011 Bonds, in accordance with the Continuing Disclosure Agreement which shall be delivered in substantially the form attached hereto as Exhibit G, to provide financial information not later than two hundred seventy (270) days following the end of the Board's fiscal year, commencing with the report for the fiscal year ending June 30, 2010 (which is due no later than March 31, 2011), and to provide notice of the occurrence of the enumerated events listed and provided therein. The Annual Information and each notice of material events will be filed electronically by WesBanco Bank, Inc., Wheeling, West Virginia, as dissemination agent, on behalf of the Board with the Electronic Municipal Markets Access system ("EMMA").

This continuing disclosure obligation is being undertaken to comply with Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission. The Board, has agreed to give notice in a timely manner to EMMA of any failure to supply the required information. However, any such failure will not constitute a default under the terms of the Series 2011 Bonds. Under the Continuing Disclosure Agreement, the sole remedy for such failure is to seek an order for specific performance. SEE "APPENDIX G – FORM OF CONTINUING DISCLOSURE AGREEMENT."

LEGAL MATTERS

All legal matters incident to the authorization, issuance, sale and delivery of the Series 2011 Bonds are subject to the approval of Bowles Rice McDavid Graff & Love LLP, Charleston, West Virginia, Bond Counsel, whose approving legal opinion will be delivered with such Series 2011 Bonds.

SALE AT COMPETITIVE BIDDING

The Series 2011 Bonds were offered by the Board at competitive bidding on February 24, 2011 in accordance with the Official Notice of Sale.

UNDERWRITING

Wells Fargo Bank, National Association (the Underwriter) has agreed to purchase the Series 2011 Bonds at an aggregate purchase price of \$37,006,007.45 (includes premium of \$6,007.45 and no accrued interest), pursuant to a proposal submitted on February 24, 2011 in connection with the Issuer's Official Notice of Sale of the Series 2011 Bonds, dated February 10, 2011. The Underwriter may offer and sell the Series 2011 Bonds to certain dealers (including dealers depositing such Series 2011 Bonds into investment trusts) and others at prices lower than the public offering price stated on the cover page hereof. The public offering prices set forth on the cover page may be changed after the initial offering by the Underwriter.

RATING

Standard & Poor's Corporation, 55 Waters Street, New York, New York, 10041, has assigned the Series 2011 Bonds its rating of 'AA' based on the Board's eligibility and participation in West Virginia's Municipal Bond Program. The Board did not apply for any other ratings. Such rating reflects only the views of such organization and reference is made to such organization for the meaning of such rating. There is no assurance that such rating will continue for any period of time or that such rating will not be revised downward or withdrawn entirely by the assigning rating agency, if in the judgment of such rating agency, circumstances so warrant. Any downward revision or withdrawal of such rating may have an adverse effect upon the market price or value of the Series 2011 Bonds.

FINANCIAL ADVISOR

Raymond James & Associates, Inc., Charleston, West Virginia, Financial Advisor to the Board, or its directors or employees, may hold, own or dispose of bonds, including the Series 2011 Bonds, issued by the Board. Raymond James & Associates, Inc., may wish to bid alone or as a member of a syndicate for the purchase of the Series 2011 Bonds.

CONCLUDING STATEMENT

The information furnished in this Official Statement is set forth for the benefit of prospective purchasers of the \$37,000,000 in aggregate principal amount of The Board of Education of the County of Hancock Public School Bonds, Series 2011. The material contained in the Official Statement was compiled for and at the direction of The Board of Education of the County of Hancock by Raymond James & Associates, Inc. in its capacity as Financial Advisor.

All statements, estimates, assumptions and summaries of documents in this Official Statement have been made on the basis of the best information available and are believed to be correct and reliable, but no representations whatsoever are made that such statements, estimates, assumptions and summaries of documents are correct or will be realized.

So far as any statements are made in this Official Statement involving matters of opinion, whether or not expressly so stated, they are set forth as such and not as representation of fact. Neither this Official Statement nor any statement which may have been made orally or in writing is to be construed as a contract with the holders of any of the Series 2011 Bonds.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

By: /s/ Jerry Durante
President

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AUDIT REPORT OF
HANCOCK COUNTY BOARD OF EDUCATION
NEW CUMBERLAND, WEST VIRGINIA
For the Fiscal Year Ended June 30, 2009

AUDIT REPORT OF HANCOCK COUNTY BOARD OF EDUCATION For the Fiscal Year Ended June 30, 2009

This audit has been conducted pursuant to the authority and duty of the State Auditor as Chief Inspector and Supervisor of Public Offices to conduct an annual inspection of all political subdivisions of the State of West Virginia and any agency created by these subdivisions. This power is granted by West Virginia Code §6-9-1 et seq.

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF FUNDS INCLUDED IN REPORT For the Fiscal Year Ended June 30, 2009

GOVERNMENTAL FUND TYPES

MAJOR FUNDS

General Current Expense Fund

Special Revenue Fund

Restricted Projects

Capital Projects Funds

Capital Projects

FIDUCIARY FUND TYPES

Agency Funds

School Activity

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For the Fiscal Year Ended June 30, 2009

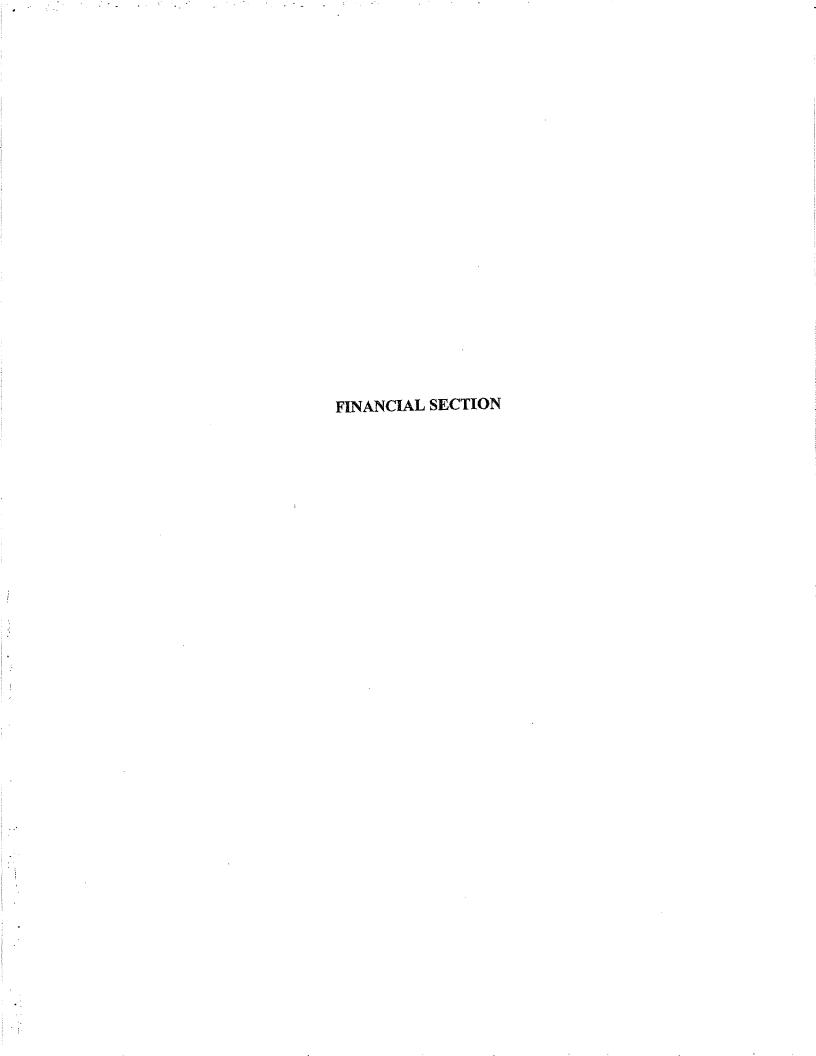
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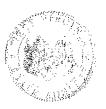
INTRODUCTORY SECTION

HANCOCK COUNTY BOARD OF EDUCATION OFFICIALS

For the Fiscal Year Ended June 30, 2009

OFFICE	NAME	TERM
	Elective	
Board Members:	Christine Fair(for Joe Barnebie) John Manypenny Laura Greathouse(for Tim Reinard) Jerry L. Durante Patsy Brancazio	07-01-08 / 06-30-10 07-01-06 / 06-30-10 07-01-08 / 06-30-10 07-01-08 / 06-30-12 07-01-08 / 06-30-12
Board President:	Appointive Jerry L. Durante	07-01-08 / 06-30-10
Treasurer:	Joseph Campinelli	





Glen B. Gainer III State Auditor and Chief Inspector

Stuart T. Stickel, CPA Deputy Chief Inspector

State of West Virginia

Office of the State Auditor Chief Inspector Division Building 1, Room W-420 Charleston, West Virginia 25305 Toll Free: 877-982-9148 Telephone: (304) 558-2540 FAX: (304) 558-5327 Internet: http://www.wysao.gov

INDEPENDENT AUDITOR'S REPORT

Honorable Members of the Hancock County Board Of Education New Cumberland, West Virginia

We have audited the accompanying financial statements of the governmental activities, each major fund, and the remaining fund information of the Hancock County Board of Education (the Board), as of and for the year ended June 30, 2009, which collectively comprise the Board's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the entity's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the remaining fund information of the Hancock Board of Education, as of June 30, 2009, and the respective changes in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Honorable Members of the Hancock County Board Of Education Page 2

In accordance with Government Auditing Standards, we have also issued our report dated May 12, 2010 on our consideration of the Board's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

As discussed in Note 3, the Board implemented the provisions of Governmental Accounting Standards Board Statement Number 45, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions.

The management's discussion and analysis and budgetary comparison information for the General Current Expense Fund and the Special Revenue Fund are not a required part of the basic financial statements, but are supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Board's financial statements. The introductory section, budgetary comparison information for the Capital Projects Fund, and the Schedule of Changes in School Activity Funds are presented for purposes of additional analysis and are not required parts of the financial statements. The accompanying Schedule of Expenditures of Federal Awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and is also not a required part of the basic financial statements of the Hancock County Board of Education. Such information, with the exception of the introductory section, has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated in all material respects in relation to the financial statements taken as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and accordingly, we express no opinion on it.

Respectfully submitted,

Glen B. Gainer, III

West Virginia State Auditor

For the Fiscal Year Ended June 30, 2009

Our discussion and analysis of the Hancock County Board of Education's financial performance provides an overview of the Board's financial activities for the fiscal year ended June 30, 2009. Please read this discussion and analysis in conjunction with the Board's basic financial statements, which are presented immediately following this Management's Discussion and Analysis.

Financial Highlights

- The Board's assets exceeded liabilities by \$24,692,350 at the close of the most recent fiscal year. Of this amount, \$709,860 may be used to meet the government's ongoing obligations to citizens and creditors.
- The Board's total net assets increased by \$683,760.
- As of the close of the current fiscal year, the Board's governmental funds reported combined ending fund balances of \$248,556, a decrease of \$463,101 in comparison with the prior year. Approximately \$110,005 of this total amount is available for spending at the Board's discretion.
- At the end of the current fiscal year, unreserved fund balance for the General Fund was \$971,580 or 2.7 percent of total General Fund expenditures.

Overview of the Financial Statements

The discussion and analysis is intended to serve as an introduction to the Board's basic financial statements. The Board's basic financial statements comprise three components: 1) district-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

District-wide financial statements - The district-wide financial statements are designed to provide readers with a broad overview of the Board's finances, in a manner similar to a private-sector business.

The statement of net assets presents information on all of the Board's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Board is improving or deteriorating.

The statement of activities presents information showing how the government's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing or related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

The district-wide financial statements can be found on pages 12 and 13 of this report.

For the Fiscal Year Ended June 30, 2009

Fund financial statements - A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Board, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the Board can be divided into two categories: governmental funds and fiduciary funds.

Governmental funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the district-wide financial statements. However, unlike the district-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the district-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the district-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The Board maintains three individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, the special revenue fund and the capital projects fund, all of which are considered major funds.

Fiduciary funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the governmental entity. Fiduciary funds are not reflected in the district-wide financial statement because the Board cannot use these funds to finance its operations.

The Board uses an agency fund to account for resources held for student activities and groups. The basic fiduciary fund financial statement can be found on page 17 of this report.

Notes to the basic financial statements - The notes provide additional information that is essential for a full understanding of the data provided in the district-wide and fund financial statements. The notes to the financial statements can be found on pages 18 to 37 of this report.

For the Fiscal Year Ended June 30, 2009

District-wide Financial Analysis

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. In the case of the Board, assets exceeded liabilities by \$24,692,352 at the close of the most recent fiscal year.

		Governmental Activities
ASSETS		
Current and other assets	\$	6,388,961
Capital assets	announcement of the second of	24,180,253
Total assets	\$	30,569,214
LIABILITIES AND NET ASSETS Liabilities:		
Current and other liabilities	\$	5,679,101
Long-term liabilities outstanding		197,761
Total liabilities	\$	5,876,862
Net assets:		
Invested in capital assets, net of related debt	\$	23,982,492
Unrestricted		709,860
Total net assets		24,692,352
Total liabilities and net assets	\$	30,569,214

- The largest portion of the Board's net assets, 97.13% reflects its investment in capital assets (e.g. land, buildings, furniture and equipment, vehicles), less any related debt used to acquire those assets that is still outstanding. The Board uses these capital assets to provide services to students; consequently, these assets are *not* available for future spending. Although the Board's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.
- An additional portion of the Board's net assets, 0.04% represents resources that are subject to external restrictions on how they may be used. The majority of the restricted balance is for special projects and the payment of state and federal grants.
- The remaining balance of *unrestricted net assets*, 2.84% may be used to meet the Board's obligations to students, employees, and creditors and to honor next year's budget.

For the Fiscal Year Ended June 30, 2009

At the end of the current fiscal year, the Board was able to report positive balances in all three categories of net assets. The same situation was not true for the prior fiscal year.

Restricted net assets decreased by \$16,577 during the year ended June 30, 2009. This decrease resulted primarily from receivables being greater than prior years.

The Board's total net assets increased by \$683,760 during the current year. In the past several years, the Board has experienced a down-sizing of one of the major tax payers and has made strong efforts to monitor and decrease spending where possible. These factors have contributed to the current increase.

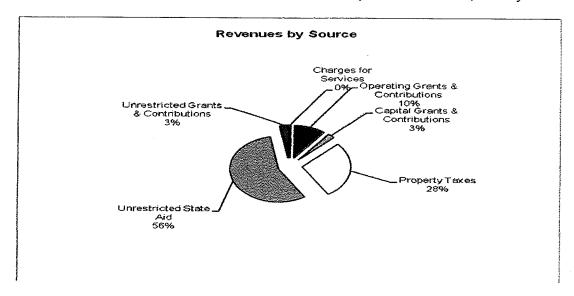
The key elements of the Board's net assets for the year ended June 30, 2009 are as follows:

		vernmental Activities
Revenues:		
Program revenues:	Ф.	95,642
Charges for services	\$	4,332,540
Operating grants and contributions		981,027
Capital grants and contributions		701,027
General revenues:		11,905,441
Property taxes		23,821,877
Unrestricted state aid		45,700
Unrestricted investment earnings		1,132,960
Unrestricted grants and contributions Total revenues	\$	42,315,187
2000.10.00.00		
Expenses:		
Instruction	\$	25,217,847
Supporting services:		1 101 (05
Students		1,131,625
Instructional staff		899,224
District admin.		1,987,320
School admin.		2,462,572 936,415
Business services		3,969,011
Operation and Maint.		3,211,367
Transportation		1,721,814
Food services		94,232
Community services	\$	41,631,427
Total expenses		
Change in net assets before transfers		683,760
Transfers		<u>*</u>
Change in net assets		683,760
Net assets - July 1, 2008		24,008,592
Net assets - June 30, 2009	\$	24,692,352

For the Fiscal Year Ended June 30, 2009

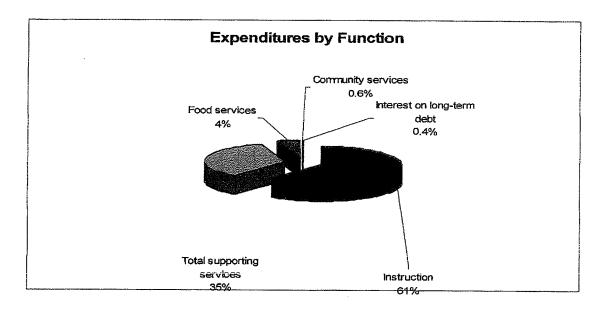
When comparing revenues from the prior year, the school district saw an increase of \$2,787,867. The largest increase continues to be from federal and state aid. The increase is due to a slight increase in student enrollment which is the driving factor in producing state aid.

The following chart shows the Board's revenues for fiscal year ended June 30, 2009 by source:



When comparing expenditures from the prior year, the school district saw an increase of \$1,721,564. The largest decrease continues to be from a reduction in force of personnel and completion of some maintenance projects.

The following chart shows the Board's expenditures for fiscal year ended June 30, 2009 by function:



For the Fiscal Year Ended June 30, 2009

Financial Analysis of the Board's Funds

As noted earlier, the Board uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The focus of the Board's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Board's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year. As the Board completed the year, its governmental funds reported a combined fund balance of \$248,556.

Governmental funds report the differences between their assets and liabilities as fund balance, which is divided into reserved and unreserved portions. Reservations indicate the portion of the Board's fund balances that are not available for appropriation. The unreserved fund balance is, in turn, subdivided between designated and undesignated portions. Designations reflect the Board's self-imposed limitation on the use of otherwise available expendable financial resources in governmental funds. The Board had no portion of the unreserved fund balance designated.

General Fund Budgetary Highlights

During the year, the Board revised the budget. Budget amendments were to reflect changes in programs and related funding. The difference between the original budget and the final amended budget was an increase of \$1,237,872 in total general fund expenditures. The most significant differences may be summarized as follows:

- To carry forward prior fiscal year ending balance in the amount of \$948,583
- To include federal and state projects not originally included with the beginning budget.
- To include beginning work on a new HVAC project at Weir High School.

Capital Asset and Debt Administration

Capital assets - The Board's investment in capital assets for its governmental activities as of June 30, 2009 amounts to \$24,180,252 (net of accumulated depreciation). This investment in capital assets includes land, buildings and improvements, furniture and equipment, and vehicles. The total increase in the Board's investment in capital assets for the current fiscal year was 2.99 percent.

	Governmental Activities
Land Construction in process Long-term site improvements Buildings and improvements Furniture and equipment Vehicles	\$ 1,710,516 1,327,435 27,288 19,070,261 523,751 1,521,001
Total capital assets	\$ 24,180,252

For the Fiscal Year Ended June 30, 2009

Additional information on the Board's capital assets can be found in Note 7 to the basic financial statements.

Long-term debt. At the end of the current fiscal year, the Board had capital lease obligations of \$197,760. The obligation for compensated absences for vacations was \$292,718 at June 30, 2009.

	ernmental tivities
General obligation bonds	\$ _
Capital Lease obligations	197,760
Compensated absences	292,718
Accrued sick leave	-
Total debt outstanding	\$ 490,478

Additional information on the Board's long-term debt can be found in Note 8 to the basic financial statements.

Factors Bearing on the Board's Future

At the time these financial statements were prepared and audited, the Board was aware of circumstances that could significantly affect its financial health in the future:

- The county has a major tax payer in Mittal Steel Corporation. Mittal is currently undergoing a re-evaluation of their tax base which could lead to a drop in future tax assessments for the county. While the State of West Virginia will provide the majority of any lost tax revenue for current taxes levied, the State will not make up any of the excess levy tax base currently in place.
- Employees of the Board are eligible to receive special termination benefits in the form of convertible sick leave earned but not used prior to retirement. Upon retirement, an employee's accumulated sick leave may be converted to a greater retirement benefit or to payment of the retired employee's health insurance premiums. These special benefits are known as other post employment benefits or OPEB. The cost of additional retirement benefits are the liability of the West Virginia Consolidated Public Retirement Board and therefore are not recorded in the Board's financial statements. Currently, the cost of the health insurance premiums must be absorbed by the last agency employing the retiree. Historically, the West Virginia Legislature has appropriated funds for the Board for payment of a portion of these costs. However, because such appropriations are at the discretion of the Legislature, are not fully funded and are not guaranteed, the liability for the cost of sick leave convertible to health insurance premiums that is above the state appropriation is recorded in the Board's financial statements. At June 30 2009, the liability for such costs was \$431,144, which is included in the district-wide financial statement of net assets. The county has currently entered into a class action lawsuit along with over 40 other WV counties to dispute the legality of requiring the Board to record the OPEB liability. If successful, it is believed a portion if not all of the liability will be removed from the county's liabilities and be restored. If unsuccessful, the OPEB will have long term devastating effects on each county in the state of WV.

For the Fiscal Year Ended June 30, 2009

Contacting the Board's Financial Management

This financial report is designed to provide our citizens and taxpayers with a general overview of the Board's finances and to demonstrate the Board's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the Board Office, 104 North Court Street, New Cumberland, WV 26047.

HANCOCK COUNTY BOARD OF EDUCATION STATEMENT OF NET ASSETS June 30, 2009

	Governmental
	Activities
ASSETS	
Cash and cash equivalents	\$ 3,073,332
Investments	1,027,300
Taxes receivable, net of allowance for uncollectible taxes	155,753
Food services receivable	57,540
Other receivables	143,112
Due from other governments:	
State aid receivable	206,397
PEIA allocation receivable	498,486
Reimbursements receivable	1,227,041
Capital Assets not being depreciated:	
Land	1,710,516
Construction in Progress	1,327,435
Capital Assets being depreciated:	, ,
Long Term Site Improvement	1,324,011
Buildings and improvements	33,111,507
Furniture and equipment	9,917,564
Vehicles	4,277,749
Less accumulated depreciation	(27,488,529)
Total capital assets, net of depreciation	24,180,253
Total assets	30,569,214
LIABILITIES AND NET ASSETS	
Liabilities:	
Salaries payable and related payroll liabilities	3,710,213
Workers' compensation payable	10,233
PEIA premiums payable	411,199
Deferred revenues	·
Compensated absences	545,852
·	292,718
Accounts payable	277,742
Other post employment benefit payable - state aid funded employees	431,144
Long-term obligations:	
Due within one year:	
Capital leases	110,923
Due beyond one year:	220,72
Capital leases	86,838
Total liabilities	5,876,862
A Utar Habinties	3,870,802
Net Assets:	
Invested in capital assets, net of related debt	23,982,492
Unrestricted	709,860
Total net assets	\$ 24,692,352

HANCOCK COUNTY BOARD OF EDUCATION For the Year Ended June 30, 2009 STATEMENT OF ACTIVITIES

				Prog	Program Revenues			Net (Net (Expense),
		1			Operating		Capital	Revenu	Revenue & Changes
			Charges for	O	Grants and	Ğ	Grants and	ii N	in Net Assets
Functions		Expenses	Services	ర	Contributions	Con	Contributions	Governm	Governmental Activities
Governmental activities: Instruction	€9	25,217,846		€43	2,039,890	₩	460,526	69	(22,717,430)
Supporting services:		1.131.625	40,094	_	113,696		20,666		(957,169)
Students Tradentelanal chaff		899,224		,	225,901		16,422		(656,901)
Librator odministration		1.987.320	55,548	~	137,788		36,292		(1,757,692)
Cop of administration		2,462,572	`		170,741		44,972		(2,246,859)
Discipate partition		936,415			70,926		17,101		(848,388)
Dustation and maintenance of facilities		3,969,011		1	275,187		72,482		(3,621,342)
Operation and manney or received		3,211,367		2	230,138		309,566		(2,671,663)
Statesh Langlor actor.		1,721,814		,	1,068,273		τ		(653,541)
Food services Community services		94,232		1	-		3,000		(91,232)
	6	41 621 406	CF 90 3	\$	4 332 540	6/3	981.027		(36,222,217)
Total governmental activities	∌ ∥			- 11	01.7677761				
	Ğ	General revenues:							
		Property taxes							11,905,441
		Unrestricted state aid	tate aid						23,821,877
		Unrestricted in	Unrestricted investment earnings	SS					45,700
		Unrestricted g	Unrestricted grants and contributions	utions					1,132,960
	Tc	Total general revenues	ınes		٠				36,905,978
	ひ	Change in net assets	ts						683,761
	~	Net assets - beginning (Note 3)	ming (Note 3)						24,008,591
	N. S.	et assets - ending						€3	24,692,352
	7	מייייים מאחמים וח							

HANCOCK COUNTY BOARD OF EDUCATION BALANCE SHEET - GOVERNMENTAL FUNDS June 30, 2009

	West -	General Current Expense	Special Revenue Fund	Capital Projects Fund	(Total Governmental
ASSETS	_		•		•	0.070.000
Cash and cash equivalents	\$	3,073,332	\$ -	\$ -	\$	
Investments		1,027,300	-	-		1,027,300
Taxes receivable, net		155,753	-	•		155,753
Food service receivable, net			57,540	-		57,540
Other receivables		143,112	-	-		143,112
Due from other governments:						
State aid receivable		200,028	6,369	-		206,397
PEIA allocation receivable		498,486	-	-		498,486
Reimbursements receivable		-	1,227,041	-		1,227,041
Due from other funds		564,174	-			564,174
Total assets	\$	5,662,185	\$ 1,290,950	\$ -	\$	6,953,135
LIABILITIES AND FUND BALANCES						
Liabilities:		0.010.010				2 710 012
Salaries payable and related payroll liabilities		3,710,213	•			3,710,213
Workers' compensation payable		10,233	_	-		10,233
Other post employment benefits payable:						401 144
state aid funded		431,144	-	-		431,144
PEIA premiums payable		411,199		-		411,199
Accounts payable		105,705	172,037	-		277,742
Deferred revenue		_	1,299,874	-		1,299,874
Due to other funds			564,174			564,174
Total liabilities		4,668,494	2,036,085			6,704,579
Fund Balances:						
Reserved for:						
Encumbrances		22,111	11,734	104,70)6	138,551
Unreserved:						
Undesignated		971,580	(756,869)	(104,70)6)	110,005
Total fund balances		993,691	(745,135)	-		248,556
TOTAL LIABILITIES AND FUND BALANCES	\$	5,662,185	\$ 1,290,950	\$ -		
Amounts reported for governmental activities in the st	atem	ent of net asse	ets differ due to:			
Capital assets used in governmental activities are	not	financial re	sources and,			2 4,180,253
therefore, are not reported in the funds. (Note 7)						24,100,233
Receivable amounts that will be collected this year by to pay for the current period's expenditures, and are the			_			
Receivable from Reimbursements						754,022
Long-term liabilities are not due and payable in the c not reported in the funds. (Note 8)	urrer	nt period and,	therefore, are			
Capital leases payable						(197,760)
Compensated absences						(292,718)
Net assets of governmental activities					\$	24,692,352

HANCOCK COUNTY BOARD OF EDUCATION STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS

For the Year Ended June 30, 2009

	General Current Expense	Special Revenue	Capital Projects Fund	Total Governmental
Revenues:				
Property taxes	\$ 12,186,852	\$ -	\$ -	\$ 12,186,852
Other Local sources	311,328	510,214	-	821,542
State sources	23,264,429	1,464,291	202,114	24,930,834
Federal sources	975,674	2,962,829	-	3,938,503
Total revenues	36,738,283	4,937,334	202,114	41,877,731
Expenditures:				
Instruction	22,061,001	2,398,963	-	24,459,964
Supporting services:				
Students	1,069,431	62,194	-	1,131,625
Instructional staff	378,433	520,791	-	899,224
Central administration	1,863,349	102,686	-	1,966,035
School administration	2,457,714	3,158	-	2,460,872
Business	813,930	114,152	-	928,082
Operation and maintenance of facilities	4,083,973	11,504	-	4,095,477
Student transportation	3,002,982	244,211	-	3,247,193
Food services	31,178	1,699,516	-	1,730,694
Community services	33,010	61,222	-	94,232
Capital outlay	-	1,114,906	212,528	1,327,434
Total expenditures	35,795,001	6,333,303	212,528	42,340,832
Excess (deficiency) of revenues over				
expenditures	943,282	(1,395,969)	(10,414)	(463,101)
Other financing sources (uses):				
Transfers in	34,383	659,754	10,414	704,551
Transfers (out)	(670,168)	(34,383)	_	(704,551)
Total other financing sources (uses)	(635,785)	625,371	10,414	*
Net change in fund balances	307,497	(770,598)	-	(463,101)
Fund balances - beginning, as restated (Note 14)	686,194	25,463	-	711,657
Fund balances - ending	\$ 993,691	\$ (745,135)	s -	\$ 248,556

HANCOCK COUNTY BOARD OF EDUCATION RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES June 30, 2009

Amounts reported for governmental activities in the statement of activities are different due to:

Net change in fund balances - total governmental funds	\$ (463,101)
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. The effect on net assets is the amount by which capital outlays exceed depreciation in the current period. (Note 7)	
Depreciation expense	(1,040,372)
Capital outlays	1,695,067
Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds, rather they are reported as deferred revenues.	
Taxes receivable [current year \$155,752 less prior year \$453,498]	(281,411)
Food service receivable [current year]	(35,155)
Reimbursement receivable [current year \$1,299,874 less earmarked \$545,852]	754,022
The issuance of long term debt (e.g. bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction however, has any effect on net assets. Also, governmental funds report the effect of issuance costs, premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. This amount is the net effect of these differences in the treatment of long-term debt and related items. (Note 8)	(68,640)
The repayment of the principal of long-term debt (e.g., bonds, leases) consumes the current financial resources of governmental funds. However, such repayment has no effect on net assets. (Note 8)	
Capital leases payable	167,381
Compensated absences are reported as liabilities in the statement of net assets, but are only reported in government funds to the extent they have matured. This is the amount by which compensated absences increased. (Note 8)	
Accrued vacation payable	 (44,030)
Change in net assets of governmental activities	\$ 683,761

HANCOCK COUNTY BOARD OF EDUCATION STATEMENT OF FIDUCIARY NET ASSETS - FIDUCIARY FUNDS For the Year Ended June 30, 2009

	Agency Funds
	School Activity
	Funds
ASSETS	
Cash and cash equivalents	\$ 811,692
Total assets	\$ 811,692
LIABILITIES	
Due to Student Activities	811,692
Total liabilities	\$ 811,692

For The Fiscal Year Ended June 30, 2009

Note 1 - Summary of Significant Accounting Policies:

The accompanying financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to local government units. The Governmental Accounting Standards Board (GASB) is the ultimate standard-setting body for state and local governments.

A. Reporting Entity:

The Hancock County Board of Education (the Board) is a corporation created under the authority of West Virginia Code §18-5-1 et seq. and is composed of five members nominated and elected by the voters of the county for four-year terms. The Board is responsible for the supervision and control of the county school board and has the authority, subject to State statutes and the rules and regulations of the State Board, to control and manage all of the public schools and school interests in the county.

GASB Statement No. 14 (as amended by GASB Statement No. 39) establishes the criteria for determining the governmental reporting entity and the component units that should be included within the reporting entity. Under provisions of this statement, the Board is considered to be a primary government, since it is a separate legal entity, has its own elected governing body, and is fiscally independent of other local governments. The Board has no component units, defined by GASB Statement No. 14 (as amended by GASB Statement No. 39) as other legally separate organizations for which the elected board members are financially accountable.

B. Government-wide and Fund Financial Statements:

The Government-wide financial statements (the statement of net assets and the statement of activities) display information about the Board as a whole. These statements include the financial activities of the overall government, except for fiduciary fund activities. Fiduciary funds are reported only in the Statement of Fiduciary Net Assets at the fund financial statement level.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are specifically associated with a function or segment and, therefore, are clearly identifiable to a particular function or segment.

Depreciation expenses for capital assets that can be specifically identified with a function are included in its direct expenses. Depreciation expense for "shared" capital assets (such as a school building that may be used for instructional services, student and instructional staff support services, school administration, and child nutrition services) is distributed proportionally among the various functions. Indirect expense allocations that have been made in the funds have been reversed for the statement of activities. Interest on general long-term debt liabilities is considered an indirect expense and is reported in the Statement of Activities as a separate line.

Program revenues include: grants and contributions that are restricted to meeting the operational or capital requirements of a particular function, restricted state aid, tuition, and other fees and charges paid by students. Revenues that are not considered as program revenues are classified as general revenue and include property taxes, unrestricted state aid, unrestricted investment earnings, gain on sale of capital assets, and federal and state grants not restricted to a specific purpose.

For The Fiscal Year Ended June 30, 2009

The fund financial statements provide information about the individual funds maintained by the Board. All funds maintained by the Board are considered to be major funds for reporting purposes and are presented in individual separate columns.

The funds maintained by the Board are:

General Current Expense Fund: The General Current Expense Fund is the operating fund of the Board and accounts for all revenues and expenditures not encompassed within other funds. All general tax revenues and other receipts that are not allocated by law or contractual agreement to other funds are accounted for in this fund. General operating expenditures and the capital improvement costs that are not paid through other funds are paid from the General Current Expense Fund.

<u>Special Revenue Fund</u>: The Special Revenue Fund is an operating fund of the Board and accounts for all revenues and expenditures attributable to state and federal grants and other revenue sources that are legally restricted to expenditure for specific purposes.

Capital Projects Funds: Capital Projects Funds are used to account for all resources used for the acquisition of capital facilities by the Board. These funds can include: a bond construction fund, used to account for the proceeds from the issuance of general obligation bonds; a permanent improvement fund established under the authority of West Virginia Code §18-9B-14 to account for the proceeds of resources used for the support of various building and permanent improvement projects, and; one or more capital projects funds used to account for the resources used in the construction of a specific capital facility.

Agency Funds: Agency funds are used to account for assets that the Board holds for others in an agency capacity. These include: Regional education service agencies (RESA's) and multi-county vocational centers (MCVC's) for the purpose of providing high quality, cost effective educational programs and to provide vocational training, respectively, in which the county board of education serves as the fiscal agent; school activity funds to account for the assets of the individual schools of the Board, the student clubs, and school support organizations; and may include a scholarship fund to account for contributions and donations made to the Board by a benefactor for the purpose of providing scholarships for graduates of the county school Board.

C. Measurement Focus and Basis of Accounting:

The Government-wide statements (Statement of Net Assets and the Statement of Activities) were prepared using the economic resources measurement focus and the full accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows are received. Revenues and expenses resulting from exchange and exchange-like transactions are recognized when the exchange takes place; revenues and expenses resulting from non-exchange transactions, such as property taxes, federal and state grants, state aid to schools, and donations, are recognized in accordance with the requirements of GASB Statement No. 33. Property taxes are recognized in the fiscal year for which the taxes are levied; state aid to schools is recognized in the year for which the legislative appropriation is made; and grants and donations are recognized in the fiscal year in which all eligibility requirements have been satisfied.

For The Fiscal Year Ended June 30, 2009

The governmental fund financial statements were prepared using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to pay liabilities of the current period. The Board considers all revenues available if they are collectible within 30 days after year-end. Expenditures are recorded generally when the related fund liability is incurred, except for unmatured principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing resources.

Fiduciary funds are custodial in nature (assets equal liabilities) and do not present results of operations or have a measurement focus. Agency funds are accounted for using the accrual basis of accounting. These funds are used to account for assets that the Board holds for others in an agency capacity.

D. Encumbrances:

Encumbrance accounting is employed in governmental funds. Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of the formal budgetary process. Encumbrances outstanding at year-end are reported as reservations of fund balances since they do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year.

E. Cash and Investments:

Cash on hand and deposits with banking institutions either in checking or savings accounts are presented as cash in the accompanying financial statements. Such deposits at June 30, 2009 were entirely covered by federal depository insurance or secured by adequate bond or other securities held by the banking institution in the Board's name.

Boards of education are authorized by statute to provide excess funds to either the State Consolidated Investment Pool or the Municipal Bond Commission for investment purposes, or to invest such funds in the following classes of securities: Obligations of the United States or any agency thereof, certificates of deposit and repurchase agreements. Funds of the Board are temporarily invested by the West Virginia Municipal Bond Commission specifically on behalf of the Board as part of the Commission's consolidated investment pool. These investments are considered cash and cash equivalents due to their liquid nature.

Investments of the Board at June 30, 2009 consisted of the following:

	Carrying Amount	<u>B</u>	look Balance
Municipal Bond Commission	\$ 1,027,300	\$	1,027,300

Money market/sweep accounts with financial institutions were entirely covered by federal deposit insurance or secured by adequate bond or other securities held by the banking institution in the Board's name.

For The Fiscal Year Ended June 30, 2009

Custodial credit risk is the risk that in the event of a bank failure, the Board's deposits may not be returned to it. The Board has limited its custodial credit risk by assuring that these deposits with financial institutions are adequately collateralized.

Interest rate risk is the risk that changes in interest rates demanded by the market will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. One of the ways that the Board manages its exposure to interest rate risk for investments is by purchasing short-term investments that are less affected by changes in market rates as compared to long-term investments.

At June 30, 2009, the Board has \$1,027,300 invested with the West Virginia Municipal Bond Commission. Pool investments of the Municipal Bond Commission are held in a Government Money Market with the WV Board of Treasury Investments Consolidated Fund.

Credit Risk: Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations.

Exposure to credit risk in the Government Money Market Pool is limited to U.S. Treasury issues and U.S. government agency issues and repurchase agreements collateralized by U.S. Treasury issues and U.S. government agency issues. The pool must have at least 15% of its assets in U.S. Treasury issues.

The Board's investments in the Consolidated Fund pool and related accounts have not been rated for credit risk by any organization.

Concentration of Credit Risk: Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investments in a single issuer. West Virginia statutes prohibit the Consolidated Fund Pool from investing more than 5% of its assets in securities issued by a single private corporation or association. At June 30, 2009, the pool did not have investments in any one private corporation or association that represented more than 5% of assets.

Interest Rate Risk: Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The overall weighted average maturity of the investments of the Government Money Market Pool within the Consolidated Fund Pool cannot exceed 60 days. The maturity of floating rate notes is assumed to be the next interest rate reset date.

F. Food Service Receivables:

The accounts receivable for the Food Service Program has not been reduced by uncollectible accounts.

G. Interfund Receivables and Payables:

Activities between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e., current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans).

Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

For The Fiscal Year Ended June 30, 2009

H. Capital Assets:

Capital assets, which include land, buildings and improvements, furniture and equipment, and vehicles, are reported in the Government-wide financial statements. The Board defines capital assets as assets with an initial, individual cost of \$5,000 or more for land, furniture, vehicles, and equipment and \$100,000 for buildings with an estimated useful life in excess of two years. Purchased or constructed capital assets are reported at cost or estimated historical cost. Donated capital assets are recorded at estimated fair value at the date of donation. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extended assets' lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase is not capitalized.

Buildings and improvements, furniture and equipment, and vehicles of the Board are depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings	50
Site Improvements	20 - 35
Furniture and Equipment	5 <i>-</i> 20
Vehicles	8 - 12

I. Compensated Absences and Special Termination Benefits:

Compensated Absences:

It is the Board's policy to permit employees to accumulate earned but unused vacation and sick pay benefits. Vacation and sick benefits can be accumulated up to unlimited days, respectively, and carried forward to the subsequent fiscal year. All vacation pay is accrued when incurred. In lieu of a cash payment at retirement, an employee can elect to use accumulated annual leave toward their post-employment health care insurance premium. Employees also earn sick leave benefits which accumulate but do not vest.

Special Termination Benefits:

When separated from employment, employees' sick leave benefits are considered ended and no reimbursement is provided. However, upon retirement, an employee's accumulated annual sick leave may be converted to a greater retirement benefit or payment of the retired employee's health insurance premiums. The cost of the increased retirement option is the liability of the West Virginia Consolidated Public Retirement Board.

The payment of health insurance premiums must be absorbed by the last agency employing the retiree. Historically, the West Virginia State Legislature appropriates funds that are used by the Board to pay for its obligations for this special termination benefit. Because such appropriations are at the discretion of the Legislature and not guaranteed, the liability for sick leave convertible to health insurance premiums using the vesting method is recorded in the Board's financial statements.

For The Fiscal Year Ended June 30, 2009

J. Long-term Obligations:

In the Government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, statement of net assets. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures. Capital lease payments are reported in the general current expense or special revenue fund.

K. Restricted Net Assets:

For the Government-wide statement of net assets, net assets are reported as restricted when constraints placed on net asset use are either externally imposed by creditors (such as debt covenants), grantors, contributors, or laws or regulations of other governments, or imposed by law through constitutional provisions or enabling legislation.

L. Fund Equity:

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Designations of fund balance represent that portion of fund equity committed by official Board action prior to June 30 of each year for specific purposes. Said specific purposes and amounts are recorded in the official Board minutes of the fiscal year ended June 30, 2009.

M. Elimination and Reclassifications:

In the process of aggregating data for the statement of net assets and the statement of activities, some amounts reported as interfund activity and balances in the funds were eliminated or reclassified. Interfund receivables and payables were eliminated to minimize the "grossing up" effect on assets and liabilities within the governmental activities column.

N. Accounting Estimates:

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statement and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

O. Restricted Resources:

Restricted resources should be applied first when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.

For The Fiscal Year Ended June 30, 2009

Note 2 - Stewardship, Compliance and Accountability:

A. Deficiencies in Net Changes in Fund Balances and Deficit Fund Balances:

The following funds had deficiencies in net changes in fund balances for the year ended June 30, 2009:

Fund Amount
Special Revenue Fund \$ (770,598)

Funds sufficient to provide for the excess expenditures were made available from other sources within each fund and the deficiency had no impact on the financial results of the Funds.

The following funds have a deficit fund balance at June 30, 2009:

Fund Amount

Special Revenue Fund \$ (745,135)

The Special Revenue Fund incurred a deficit fund balance because not all revenue has been received for expenses that have been paid in some projects. This fund will net to zero when all projects are complete.

B. Budgets and Budgetary Accounting:

All boards of education within West Virginia are required by statute to prepare annual budgets and levy rate estimates on prescribed forms and submit these for approval. Budgets are presented on the modified accrual basis of accounting for all governmental funds but do not include amounts for other post employment benefits billed by PEIA beyond the retiree subsidy (pay-as-you-go) amount because only the retiree subsidy amounts are required to be remitted according to WVC 5-16d-6(e). Budgets are not adopted for agency funds. The following procedures are followed in preparing the annual budget:

- 1. Pursuant to State statute, the Board is required to hold a meeting or meetings between the seventh and twenty-eighth days of March to ascertain its financial condition and to determine the amount that is to be raised from the levy of taxes for the fiscal year commencing July 1. The Board adjourns the meeting and submits its Schedule of Proposed Levy Rates to the State Auditor's Office for approval. The Board then reconvenes its meeting on the third Tuesday of April to formally lay the approved levy.
- 2. The Board is also required to submit its proposed budget for the subsequent year to the State Board of Education for approval by the date established in the budget calendar. The Board is also required to hold a public hearing on the proposed budget before it is submitted for approval. The proposed budget must be made available for public inspection for at least 10 days before the public hearing is held.

Revisions to the budget are authorized only with the prior written approval of the State Board of Education.

For The Fiscal Year Ended June 30, 2009

Note 3 - Change in Accounting Policy:

The Board changed its method of accounting for the following items in order to comply with accounting principles generally accepted in the United States of America:

GASB Statement No. 16 requires, Accounting for Compensated Absence. For the fiscal year ended June 30, 2008, the Board included in compensated absences an estimated amount for accrued personal leave using the guidance provided in this statement. Subsequent to the end of the year, the State Auditor has determined that accrued sick leave should not be considered a termination benefit; therefore the liability associated with accrued sick leave is not included as compensated absences for the fiscal year ended June 30, 2009.

GASB Statement No. 45 requires, Accounting and Financial Reporting by Employers for Post-Employment Benefits other than Pensions. The Board implemented GASB Statement No. 45 for the year ended June 30, 2009. In addition to pensions, many state and local governmental employers provide other postemployment benefits (OPEB) as part of the total compensation offered to attract and retain the services of qualified employees. OPEB includes postemployment healthcare, as well as other forms of postemployment benefits when provided separately from a pension plan. This statement establishes standards for the measurement, recognition, and display of OPEB expenditures and related liabilities, note disclosures, and, if applicable required supplementary information (RSI) in the financial reports of state and local governmental employers.

As a cost-sharing employers, the Board is required to recognize OPEB expenditures for the contractually required contributions to the plan on the modified accrual basis of accounting. Therefore, the unpaid OPEB at June 30 will be reported on the Balance Sheet as "Other postemployment benefit payable".

In the prior year, an estimate of accrued sick leave liability was recorded using guidance from GASB Statement No. 16. An adjustment was made to the beginning net assets to remove that balance from the Government-wide Statement of Net Assets.

Also in the prior year, the Board was billed for other postemployment benefits that were not paid. This current liability was not reported in the prior year because GASB Statement No. 45 implementation was not required for the Board until the fiscal year ending June 30, 2009. An adjustment was made to the beginning balance and beginning net assets to add that balance to the figures previously reported. Restatement of Net Assets is as follows:

Total Net Assets - July 1, 2008, as previously reported

\$ 24,270,981

Less: Current liability – other postemployment benefits Payable attributable to fiscal year ended 6-30-08

(262,390)

Total Net Assets - July 1, 2008, adjusted due to change in accounting

\$ 24,008,591

For The Fiscal Year Ended June 30, 2009

Note 4 - Risk Management:

The Board is exposed to various risks or loss related to torts, theft, or damage to and destruction of assets, errors and omissions, injuries to employees, and natural disasters. The Board, pursuant to the provisions of State law, participates in the following risk management programs administered by the State.

Board of Risk and Insurance Management (BRIM): The Board participates in the West Virginia Board of Risk and Insurance Management, a common risk insurance pool for all State agencies, component units, boards of education and other local governmental agencies who wish to participate. The Board pays an annual premium to BRIM for its general insurance coverage. Fund underwriting and rate setting policies are established by BRIM. The cost of all coverage as determined by BRIM is paid by the participants. The BRIM risk pool retains the risk of the first \$2 million per property event and purchases excess insurance on losses above that level. BRIM has \$1 million per occurrence coverage maximum on all third-party liability claims.

Public Employees Insurance Agency (PEIA): The Board provides employees health and basic life insurance benefits through the Public Employees Insurance Agency. PEIA was established by the State of West Virginia to provide a program of health and life insurance for employees of State agencies, institutions of higher learning, boards of education, and component units of the State. In addition, local governmental agencies and certain charitable and public service organizations may request to be covered. PEIA provides a general employee benefit insurance program which includes hospital, surgical, major medical, prescription drug and basic life and accidental death. Fund underwriting and rate setting policies are established by the PEIA Finance Board. The cost of all coverage as determined by the Finance Board is paid by the participants.

Coverage under these programs is limited to \$1 million lifetime for health and \$10,000 of life insurance coverage. Members may purchase up to an additional \$500,000 of life insurance coverage. Premiums are established by PEIA and are paid monthly. The PEIA risk pool retains the risk for the health and prescription features of its indemnity plan, has fully transferred the risks of coverage of the Managed Care Organization (MCO) Plan to the plan provider and has transferred risk of life insurance coverage to a third party insurer.

Workers Compensation Fund (WCF): West Virginia has a single private insurance company, BrickStreet Insurance, which provides workers' compensation coverage to all employers in the State. Other private insurance companies can begin to offer coverage to private-sector employers beginning July 1, 2009 and to government employers July 1, 2012. Nearly every employer in the State, including all boards of education, which have a payroll, must have coverage. The cost of all coverage, as determined by BrickStreet, is paid by the employers.

The WCF risk pool retains the risk related to the compensation of injured employees under the program.

Note 5 - Property Taxes:

All property in the State is classified as follows for ad valorem tax purposes:

Class I - All tangible personal property employed exclusively in agriculture, including horticulture and grazing; all products of agriculture, including livestock, while owned by the producer.

For The Fiscal Year Ended June 30, 2009

- Class II All property owned, used and occupied by the owner exclusively for residential purposes; all farms, including land used for horticulture and grazing, occupied and cultivated by their owners or bona fide tenants.
- Class III All real and personal property situated outside of municipalities, exclusive of Class I and II property.
- Class IV All real and personal property situated inside of municipalities, exclusive of Class I and II property.

According to West Virginia Code §11-8-6c, the maximum rates that county boards of education may impose on the various classes of property are: Class I - 22.95¢ per \$100 of assessed valuation; Class II - 45.90¢ per \$100 of assessed valuation; Class III - 91.80¢ per \$100 of assessed valuation; and Class IV - 91.80¢ per \$100 of assessed valuation.

Pursuant to West Virginia Code §11-8-6f, however, the rates of levy for county boards are to be reduced uniformly statewide and proportionately for all classes of property so that the total statewide property tax revenues to be realized from the regular levy tax collections for the forthcoming year will not increase by more than one percent of the current year's projected property tax revenues, exclusive of increases due to new construction, improvements to existing real property, or newly acquired personal property, unless the State Legislature holds a public hearing. The amounts to be paid to the Assessor's Valuation Fund are also to be excluded from the calculation.

County boards of education are also authorized to impose an additional (excess) levy not to extend beyond five years if approved by at least a majority of the voters. The rates of levy cannot exceed the maximum rates specified above and must be proportional for all classes of property.

The assessed valuations and levy rates levied by the Board per \$100 of assessed valuation for each class of property for the fiscal year ended June 30, 2009 were:

Class of Property	Assessed Valuations For Tax Purposes	Current Expense	Excess Levy
Class I	\$ -	19.40¢	20.65¢
Class II	\$ 351,468,280	38.80¢	41.30¢
Class III	\$ 308,567,227	77.60¢	82.60¢
Class IV	\$ 262,227,929	77.60¢	82.60¢

The taxes on real property and the interest and other charges upon such taxes attach as an enforceable lien on the first day of July each year. There is no lien denominated as such on personal property. However, statutes provide that the sheriff of a county may distrain for delinquent taxes any goods and chattels belonging to a person assessed. All current taxes assessed on real and personal property may be paid in two installments. The first installment is payable on September first of the year for which the assessment is made, and becomes delinquent on October first, and the second installment is payable on the first day of the following March and becomes delinquent on April first.

Taxes paid on or before the date when they are payable, including both first and second installments, are subject to a discount of two and one-half percent. If taxes are not paid on or before the date on which they

For The Fiscal Year Ended June 30, 2009

become delinquent, including both first and second installments, interest at the rate of nine percent per annum is added from the date they become delinquent until paid.

Taxes Receivable:

Taxes receivable as of year end for the Board's funds are as follows:

	<u>(</u>	General Fund
Taxes Receivable	\$	155,752
Less: allowance for uncollectible		-0-
Net total taxes receivable	\$	155,752

Normal tax collections are received at approximately 96% of taxes levied. This year collections were higher than normal leaving no allowance for uncollectible.

Note 6 - Excess Levy:

The Board had an excess levy in effect during the fiscal year ended June 30, 2008. The levy was authorized by the voters of the county at an election held on November 15, 2003 for the fiscal years ended June 30, 2005 through June 30, 2009 to provide funds for the following purposes:

To provide instructional materials, supplies, equipment and classroom furniture; improve access to technology; provide capital improvement; maintain duplicating equipment & supplies; support the Hancock County WVU Extension service; legal & medical services; fund homebound, occupational therapy, physical therapy, and psychological services to Hancock County Schools and parochial students; hearing & vision impaired services; provide services within the autism spectrum; provide security improvements; maintain and replace roofs and HVAC on Board owned facilities; and to provide toward employee salaries/benefits/fixed charges.

A total of \$6,314,673.63 was received by the Board from the excess levy during the fiscal year ended June 30, 2009.

For The Fiscal Year Ended June 30, 2009

Note 7 - Capital Assets:

Capital asset balances and activity for the year ended June 30, 2009 is as follows:

	Beginning Balance	Additions	Disposals	Ending Balance
Capital assets, non-depreciable:				
Land Construction in progress	\$1,710,516	1,327,435		\$1,710,516 1,327,435
Total non-depreciable capital assets	1,710,516	1,327,435	-	3,037,951
Capital assets, depreciable:				
Long-term site improvements	1,324,011	-	•	1,324,011
Buildings and improvements	33,111,507	-	-	33,111,507
Furniture and equipment	9,809,762	107,802	-	9,917,564
Vehicles	4,017,919	259,830	•	4,277,749
Total depreciable capital assets	48,263,199	367,632		48,630,831
Less accumulated depreciation for:				
Long-term site improvements	(1,276,749)	(19,974)	-	(1,296,723)
Buildings and improvements	(13,406,775)	(634,470)	- .	(14,041,245)
Furniture and equipment	(9,254,565)	(139,248)	-	(9,393,813)
Vehicles	(2,510,068)	(246,680)	-	(2,756,748)
Total accumulated depreciation	(26,448,157)	(1,040,372)	-	(27,488,529)
Total depreciable capital assets, net	21,815,042	(672,740)	44	21,142,302
Total capital assets, net	\$23,525,558	\$ 654,695	\$ -	\$ 24,180,253

For The Fiscal Year Ended June 30, 2009

Depreciation expense was charged to functions/programs of the governmental activities as follows:

Instruction	\$ 783,428
Supporting Services: Operation/ maintenance of	
facilities Transportation Food services	 33,067 204,604 18,737
Total Depreciation expense - governmental activities	\$ 1,039,836

Construction in Progress

The government has active construction projects as of June 30, 2009. At year end the projects and amounts for governmental activities spent-to-date are as follows:

<u>Project</u>	<u>Funded</u>	Date
HVAC upgrade at Weir High School Complex Athletic Complex upgrade at Oak Glen High School School Building Authority school access safety upgrades	State and Local State State and Local	\$ 212,528 829,613 285,294
		\$ <u>1,327,435</u>

Note 8 - Long-term Debt:

Long-term liability activity for the year ended June 30, 2009 is as follows:

	Ве	alance, ginning of Year	<u>Ad</u>	ditions	<u>Deductions</u>	Balance, End of Year	Amounts due within one year	Amounts due past one year
Compensated absences Capital leases payable	\$	248,688 296,501	\$	44,030 68,641	\$ 167,381	\$ 292,718 197,761	\$ 110,923	\$292,718 86,838
Total Long-term liabilities	\$	545,189	\$_	112,671	\$ 167,381	\$ 490,479	\$ 110,923	\$ 379,556

Note 9 - Leases:

The Board has entered into various lease/purchase agreements with the private sector, primarily for equipment. These agreements, accounted for as capital leases, are for various terms. While these agreements contain clauses indicating that their continuation is subject to continuing appropriation by the Legislature, these leases are accounted for as capital leases and are considered noncancelable for financial reporting purposes.

For The Fiscal Year Ended June 30, 2009

Other leases, principally for equipment, are classified as operating leases with the lease payments recorded as expenditures during the life of the lease. The Hancock County Board of Education had no operating lease expenditures for the fiscal year ended June 30, 2009.

The Board has entered into a capital lease-purchase agreement pursuant to the provisions of West Virginia Code §18-5-9a whereby energy conservation equipment has been installed in Oak Glen Middle School. The equipment is leased from Sun Trust Leasing, Inc. for a period of seven years beginning April 1, 2004. At the end of the contract period, the Board will have ownership of the equipment. By contract, the Board has the option of discontinuing the lease purchase and returning the equipment at the end of any fiscal year, if funding for the lease payments for the next fiscal year is not available. The future minimum lease obligations as of June 30, 2009 are as follows.

<u>Year</u>	
2010	\$ 85,764
2011	64,323
Less: Amount representing interest	 (4,891)
Present value of minimum lease payments	\$ 145,196

The Board has entered into a capital lease-purchase agreement pursuant to the provisions of West Virginia Code §18-5-9a whereby copier equipment has been installed in Broadview, two (2) at Weir Middle and Weir High. The equipment is leased from Wesbanco for a period of three years beginning August 13, 2008. At the end of the contract period, the Board will have ownership of the equipment. By contract, the Board has the option of discontinuing the lease purchase and returning the equipment at the end of any fiscal year, if funding for the lease payments for the next fiscal year is not available. The future minimum lease obligations as of June 30, 2009, are as follows.

<u>Year</u>		
2010	\$	25,159
2011		25,159
2012		4,193
Less: Amount representing interest	**************************************	(2,580)
Present value of minimum lease payments	\$	51,931

Note 10 - Employee Retirement System:

All full-time board of education employees are required to participate in one of two statewide, cost-sharing, multiple-employer retirement benefit plans, the Teachers' Defined Benefit Retirement System or the Teachers' Defined Contribution Retirement System. For the year ended June 30, 2009, the Board's total payroll for all employees was \$25,496,131 and the payroll was \$24,365,219 for employees covered by the two retirement programs.

Of the total amount appropriated by the State for retirement, the portion equal to the employers' average required contribution rate for both the defined benefit and the defined contribution plans is considered to be

For The Fiscal Year Ended June 30, 2009

the employers' contribution for the current cash flow requirements for personnel funded under the Public School Support Program and is reflected as State revenue (Contributions For/On Behalf of the LEA) in the Board's financial statements. The balance is considered to be the State's contribution toward the past service unfunded liability and is not included either as revenue or expenditure in the Board's financial statements.

Trend Information: Ten-year historical trend information relating to the accumulation of assets and the unfunded liability of both plans is available from the Consolidated Public Retirement Board.

Conversion of leave for post-retirement: Upon retirement, an employee's vacation and sick leave may be converted to a greater retirement benefit or payment of health insurance premiums. The cost of the increased retirement benefit or payment of health insurance premiums must be absorbed by the last agency employing the retiree.

Teachers' Defined Benefit Retirement System:

Plan Description: The Teachers' Defined Benefit Retirement System is a cost-sharing, multiple-employer public employee defined benefit retirement system which was established on July 1, 1941 and was closed for new members on July 1, 1991. Beginning July 1, 2005, all new employees become members of this plan. To qualify for full benefits, a member must be age 60 with at least five years of credited service, or be age 55 with at least 30 years of credited service or any age with at least 35 years of credited service. A member may receive a disability benefit after completing ten years of service, if the member is disabled for six months, unable to perform his or her regular occupation, and the Retirement Board expects the disability to be permanent.

Upon retirement, members select one of five benefit payment options. If a member terminates employment with at least five years of credited service, he may freeze his membership until he qualifies for retirement or he may withdraw his contributions from the plan. The employers' contributions remain with the plan. Retirement benefits are based on two percent of the average member's five highest fiscal years of total earnings from covered employment during the member's last 15 years of service.

The normal form of benefit is a single life annuity paid monthly, in an amount equal to 2% of the final average salary times years of credited service. Other forms of benefits may be elected subject to actuarial reduction: Cash Refund Annuity, 50% or 100% Contingent Joint and Survivor Annuities, and ten year Certain and Life Annuities. Pre-retirement death benefits are paid to the spouse of a deceased member who had attained the age 50 and completed 25 years of credited service. The annuity payment is computed as if the member had retired on the date of death with a 100% Joint and Survivor pension. If the member's age and service are less than that required, the sum of the accumulated member's and employer contributions with interest is paid to the member's beneficiary or estate.

Funding Status: According to the 2008 Actuarial Valuation Report of the Teachers' Retirement System, the plan's actuarial unfunded liability was \$ 4.1 billion as of July 1, 2008.

Contribution Requirements and Payments Made: This is a fully qualified plan by the Internal Revenue Service. Therefore, all employee contributions are tax deferred. Participants contribute 6% of their gross compensation and the board of education contributes 15% of covered members' gross compensation to the retirement plan, for a total of 21% annually for those who became members prior to July 1, 1991. Participants who became members after July 1, 2005 contribute 6% of their gross compensation and the board of education contributes 7.5% of covered members' gross compensation to the retirement plan, for a total of 13.5% annually.

For The Fiscal Year Ended June 30, 2009

The employers' contributions are derived from State appropriations and county funds. Federally funded grant programs provide the funding for the employer contributions for salaries paid from federal grants.

The required contributions for the year ended June 30, 2009 and the two previous years were:

Year ended June 30	2007	<u>2008</u>	<u>2009</u>
Required contributions As a % of current year	\$ 327,068,000	\$345,412,000	\$404,547,000
covered payroll	23.50 %	23.30 %	25.89%

Total payments reflected in the Board's financial statements to the defined benefit plan for the fiscal year ended June 30, 2009 were:

Employees' contributions (6%) Employer's contributions (15% or 7.5%)	\$ 1,332,150 2,477,394
Total contributions	\$ 3,809,544

Teachers' Defined Contribution Retirement System:

Plan Description: All Board employees hired after July 1, 1991 but before July 1, 2005, participated in the Teachers' Defined Contribution Retirement System. Employees in the Teachers' Defined Benefit System could freeze their benefits in the old plan and become a member of this plan. Members with less than five years of service in the old defined benefit plan could change to this plan and transfer the funds that were deposited in the old plan to this plan. Once a member transferred to the defined contribution plan, the member was not allowed to rejoin the defined benefit plan.

Effective July 1, 2005, the Teachers' Defined Contribution Plan was closed to new membership. All employees hired after that date became members of the Teachers' Defined Benefit Retirement System which was reopened for participation on July 1, 2005. Existing members of the Teachers' Defined Contribution Plan were given the option to transfer membership to the Teachers' Defined Benefit Retirement System during the fiscal year ending June 30, 2009. To earn full benefits at retirement, however, members electing to transfer are required to contribute the 1.5% difference between the two plans' employee contribution rates.

A unique feature of the Teachers' Defined Contribution Plan is that each member chooses the investment options and may make changes at the beginning of each calendar quarter. Seven investment options are provided from which a participant may choose in multiples of five percent. The investment options are: Vanguard Money Market Fund, Bond Fund of America, Franklin Income Fund, Fidelity Growth Opportunities, Washington Mutual Investors, Federated Max-Cap, and Valic Individually Allocated Fixed Annuity.

Employees are eligible to participate from the date of employment. Employee contributions are fully vested, and employer contributions and earnings vest with the member as follows: one-third after 6 years, two-thirds after 9 years, and 100% after 12 years. The member is fully vested at death or disability. As of June 30, 2008, this plan had approximately \$946.7 million in net assets for pension benefits. Retirement or disability benefits are based solely on the accumulation of dollars in the member's individual account at the time of retirement. The accounting administration of the Plan is the responsibility of Milliman & Robertson, an independent third party administrator.

For The Fiscal Year Ended June 30, 2009

Funding Status: There is no unfunded liability for a defined contribution plan since a member's total maximum lifetime benefit is limited to that which has accumulated in the member's account from employee and employer contributions and all investment earnings thereon. Any forfeited, unvested employer contributions are, by statute, to be transferred to the Teachers' Defined Benefit Retirement System.

Contribution Requirements and Payments Made: This is a fully-qualified plan by the Internal Revenue Service. Therefore, all employee contributions are tax deferred. Participants contribute 4.5% of their gross salary and the board of education contributes 7.5% of covered members' gross compensation to the retirement plan, for a total of 12% annually.

Total payments reflected in the Board's financial statements to the defined contribution plan for the fiscal year ended June 30, 2009 were:

Employees' contributions (4.5%) Employer's contributions (7.5%)	\$ 97,327 162,211
Total contributions	\$ 259,538

The Consolidated Public Employees Retirement Board issues a publicly available financial report that includes financial statements and required supplementary information. That information may be obtained by writing to the Public Employees Retirement System, 4101 MacCorkle Ave. S.E., Charleston, WV 25304-1636.

Note 11. Post-Employment Benefits Other Than Pension:

The Governmental Accounting Standards Board (GASB) issued Statement No. 45 in 2004 to establish standards for the measurement, recognition, and reporting of Other Post Employment Benefits (OPEB) expenses/expenditures and related liabilities.

Other post employment benefits in West Virginia consist mainly of: Allowing employees hired prior to July 1, 2001 to convert unused annual, sick and/or personal leave to paid-up PEIA premiums, and allowing retirees to purchase PEIA health insurance at a deeply discounted premium rate.

As a result, the West Virginia Legislature passed HB 4654 in 2006 adding a new article to the State Code, WVC §5-16D-1 et seq. The article, among other things: Created the West Virginia Retiree Health Benefit Trust Fund (RHBT) for the purpose of administering retiree post-employment health care benefits; vested the responsibility for operation of the fund with the PEIA Board of Finance; required the Board of Finance to adopt actuarial assumptions and determine the annual required contribution (ARC) rates sufficient to maintain the fund in accordance with the state plan for other post-employment benefits; required the board to have an actuarial valuation conducted at least biannually; required the Board of Finance to set the total ARC sufficient to maintain the fund in an actuarially sound manner in accordance with generally accepted accounting principles; required the Board of Finance to bill all participating employers their share of the ARC, and; required participating employers to make annual contributions to the fund in, at least, the amount of the minimum annual employer premium payment rates established by the board.

Upon retirement, the public employees who elected to participate in the PEIA insurance plan are eligible to credit unused sick or annual leave towards insurance coverage, according to the following formulas:

For The Fiscal Year Ended June 30, 2009

Retired employees who elected to participate in the PEIA insurance plan prior to July 1, 1988: those without dependents may credit two days of unused sick or annual leave towards one month of insurance coverage; the retirees with dependents may credit three days of unused sick or annual leave towards one month of insurance coverage.

Retired employees who elected to participate in the PEIA insurance plan between July 1, 1988 and June 30, 2001: those without dependents may credit two days of unused sick or annual leave towards one-half month of insurance coverage; the retirees with dependents may credit three days of unused sick or annual leave towards one-half month of insurance coverage.

Employees hired on or after July 1, 2001 may not apply any unused sick or annual leave towards the cost of health insurance premiums.

In the alternative to applying unused sick and annual leave to health insurance, all employees participating in the PEIA insurance plan, and who are members of the State Teachers' Defined Benefit Retirement System, may apply unused sick and annual leave towards an increase in the employee's retirement benefits with those days constituting additional credited service. The cost for the employees who elect this option is reflected as a liability of the State Teacher's Retirement System and not included as an OPEB obligation.

All retired employees are eligible to obtain health insurance coverage through PEIA with the retired employee's premium contribution established by the Finance Board. The Finance Board has allowed retirees to obtain health insurance coverage at essentially the same premium rate as active employees with the difference between the retirees' premium contributions and the cost of providing health care to retirees subsidized by the State. It is this subsidy that has created the major portion of the OPEB actuarial liability.

Based on the latest actuarial evaluation of the RHBT, the annual required contribution (ARC) for the State and the boards of education for the fiscal year ended June 30, 2009 was determined to be:

	Total	Amount per Policy Holder
Total Annual Required Contribution	\$ 338,166,000	\$ 4,659
Pay as you go - Retiree Subsidy	(143,448,760)	(1,976)
Appropriation: Excess Lottery Funds State General Revenue Transfer State Debt Reduction Fund (Table Games)	(46,600,000) (30,730,000) (13,800,000)	(744) (491) (220)
Remaining Annual Required Contribution	103,587,240	1,228

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE BASIC FINANCIAL STATEMENTS

For The Fiscal Year Ended June 30, 2009

The following summarizes the Board's OPEB activity:

Total OPEB expense \$ 431,144

Less:
State appropriation allocation

State appropriation allocation
Pay as you go payments and other credits

Portion attributable to personnel funded through
the Public School Support Program (PSSP)
431,144

Portion attributable to remaining personnel 0

It is the opinion of the Board that the State is constitutionally required to appropriate sufficient funds to cover the cost of the ARC for personnel funded through the Public School Support Program (PSSP); however, no additional funds have been appropriated for this purpose as of the date of this report. Furthermore, the Board has elected, pursuant to the provisions of WVC § 5-16D-6, not to remit to the RHBT any amount in excess of the minimum annual required premium payment.

Note 12. Payments on Behalf:

The Board may receive commitments or payments made by the State or an intermediate governmental jurisdiction for the benefit of the Board or contributions of equipment or supplies. Such revenue includes the payment to a pension fund by the State or an intermediate unit on behalf of the Board's employees for services rendered to the Board. The revenues recorded as Payments on Behalf of the Board are as follows:

Retirement allocation by the State (03911)

\$2,127,431

Note 13 - Pending Litigation:

The Board is involved in a number of legal proceedings and claims, involving students, employees and citizens who have sued the Board for damages. While it is not possible to determine the ultimate outcome of any lawsuit with certainty, management believes that the ultimate outcome will not have a material adverse effect on the financial position of the Board. The Board's insurance through the State Board of Risk and Insurance Management appears adequate to fully cover any potential liability.

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE BASIC FINANCIAL STATEMENTS

For The Fiscal Year Ended June 30, 2009

Note 14 - Restatement of Beginning Fund Balance:

The fund balance at the beginning of the year of the following fund required restatement:

	General Current Expense Fund
Fund Balance at June 30, 2008, as previously stated	\$ 806,834
Adjustment for OPEB	(262,389)
Adjustment for Capital Leases	141,749
Fund Balance at June 30, 2008, Restated	\$ 686,194

Note 15 - Commitments, Contingencies and Subsequent Events:

During the fiscal year ended June 30, 2009, the Board began pursuing legal action against the State of West Virginia to seek legislative funding through the Public School Support Program to offset the costs of providing other postemployment benefits to employees otherwise funding through the Program. If successful, the Board would receive funding sufficient to satisfy the current liability entitled "other postemployment benefits payable – state aid eligible employees" on the accompanying financial statement and to pay any future amounts billed by PEIA for state aid eligible employees.

Note 16 - Interfund Balances and Transfers

The composition of interfund balances as of June 30, 2009 is as follows:

Due to/from other funds:

Receivable Fund

General Current Expense	Special Revenue Fund	\$ <u>564,174</u>
Interfund Transfers:		
Transferred to:	Transferred from:	Amount
General Current Expense Special Revenue Capital Projects	Special Revenue \$ General Current Expense General Current Expense	34,383 659,754 10,414

Payable Fund

Amount

During the year ended June 30, 2009, the Special Revenue Fund transferred \$34,383 to the General Current Expense Fund for indirect costs; General Current Expense Fund transferred \$659,754 to the Special Revenue Fund for food service and academic field trip program; the General Current Expense Fund transferred \$10,414 to the Capital Projects Fund to eliminate a deficit balance.

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE BASIC FINANCIAL STATEMENTS

For The Fiscal Year Ended June 30, 2009

Note 17 - Major Sources of Revenue:

The largest single source of revenue received by the Board is state aid funds through the Public School Support Program. In addition, the Board receives financial assistance from federal and state governments in the form of grants. The disbursement of funds received under these programs generally require compliance with terms and conditions specified in the grant agreements and is subject to audit by the Board's independent auditor and state and federal regulatory agencies. Any disallowed claims resulting from such audits could become a liability of the general fund or other applicable fund. Based on prior experience, the Board believes such disallowance, if any, would be immaterial.

	•		
		•	
REQUIREN	SUPPLEMENTARY	INFORMATION	
re-general			

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - GENERAL FUND FOR THE YEAR ENDED JUNE 30, 2009

	Budgeted	Budgeted Amounts Actual Budget Actual Budget			
-	Original	Final	Amounts	Basis	(Unfavorable)
Revenues:					
Property taxes	\$ 11,900,334	\$ 11,965,334	\$ 12,186,852	\$ -	\$ 221,518
Other Local sources	293,500	313,224	311,328	-	(1,896)
State sources	22,265,218	22,265,218	23,264,429	(921,871)	
Federal sources	305,000	805,000	975,674	-	170,674
Miscellaneous sources	-		-		-
Total revenues	34,764,052	35,348,776	36,738,283	(921,871)	467,637
Expenditures:					
Instruction	20,548,918	21,339,226	22,061,001	(731,845)	10,070
Supporting services:				(0.0. (0.0)	24.092
Students	1,072,875	1,072,875	1,069,431	(30,638)	
Instructional staff	334,035	359,183	378,433	(22,435)	
Central administration	1,658,616	1,883,616	1,863,349	(43,425)	
School administration	2,431,632	2,432,504	2,457,714	(77,542)	
Business	799,099	799,099	813,930	(21,159)	
Operation and maintenance of facilities	4,479,954	4,330,253	4,083,973	(69,592)	
Student transportation	3,139,094	3,067,339	3,002,982	(65,201)	
Food services	-	3,000	31,178	(28,789)	611
Community services	33,010	33,010	33,010	-	415.000
Capital outlay		415,000		-	415,000
Total expenditures	34,497,233	35,735,105	35,795,001	(1,090,626) 1,030,730
Excess (deficiency) of revenues over				4.50 ===	1 400 277
expenditures	266,819	(386,329)	943,282	168,755	1,498,367
Other financing sources (uses):					
Transfers in	97,500	97,500	34,383	-	(63,117)
Transfers (out)	(659,754)	(659,754)	(670,168)	-	(10,414)
Total other financing sources (uses)	(562,254)	(562,254)	(635,785)	-	(73,531)
Net change in fund balance	(295,435)	(948,583)	307,497	168,755	1,424,835
Fund balances - beginning, as restated (Note 14)	295,435	948,583	686,194	262,389	-
Fund balances - ending	\$ -	\$ -	\$ 993,691	\$ 431,144	\$ 1,424,835

The notes to the required supplementary information is an integral part of this schedule.

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - SPECIAL REVENUE FUND

For the Fiscal Year Ended June 30, 2009

		Budgeted	An			Actual	Fina Fa	ance With al Budget vorable
		Original	ginal Final			Amounts ((Unfavorable)	
Revenues:								
Local sources	\$	406,247	\$	670,037	\$		\$	(159,823)
State sources		1,192,856		1,716,025		1,464,291		(251,734)
Federal sources		2,867,468		3,322,676		2,962,829		(359,847)
Total revenues		4,466,571		5,708,738		4,937,334		(771,404)
Expenditures:								
Instruction		14,960		2,791,752		2,398,963		392,789
Supporting services:				80,882		62,194		18,688
Students		-		788,030		520,791		267,239
Instructional staff				121,042		102,686		18,356
Central administration		~		4,459		3,158		1,301
School administration		-		162,021		114,152		47,869
Business		<u>-</u>		12,282		11,504		778
Operation and maintenance of facilities		250,920		278,802		244,211		34,591
Student transportation		1,773,770		1,794,702		1,699,516		95,186
Food services		1,775,770		66,000		61,222		4,778
Community services		-		1,148,046		1,114,906		33,140
Capital outlay Total expenditures		2,039,650		7,248,018		6,333,303		914,715
-								
Excess (deficiency) of revenues over expenditures		2,426,921		(1,539,280)		(1,395,969)		143,311
Other financing sources (uses):								
Transfers in		659,754		659,754		659,754		-
Transfers (out)		(3,116,675))	(131,285)		(34,383)		96,902
Total other financing sources (uses)		(2,456,921))	528,469		625,371		96,902
Net change in fund balance		(30,000))	(1,010,811)	ı	(770,598)		240,213
Fund balances - beginning		30,000		1,010,811		25,463		(985,348)
Fund balances - ending	9	-	\$) <u>-</u>	9	(745,135)	\$	(745,135)

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION

For the Fiscal Year Ended June 30, 2009

A. Budgets and Budgetary Accounting:

All boards of education within West Virginia are required by statute to prepare annual budgets and levy rate estimates on prescribed forms and submit these for approval. Budgets are presented on the modified accrual basis of accounting for all governmental funds but do not include amounts for other post-employment benefits billed by PEIA beyond the retiree subsidy (pay-as-you-go) amount because only the retiree subsidy amounts are required to be remitted according to WVC §5-16d-6(e). Budgets are not adopted for agency funds. The following procedures are followed in preparing the annual budget:

- 1. Pursuant to State statutes, the Board is required to hold a meeting or meetings between the seventh and twenty-eighth days of March to ascertain its financial condition and to determine the amount that is to be raised from the levy of taxes for the fiscal year commencing July 1. The Board adjourns the meeting and submits its Schedule of Proposed Levy Rates to the State Auditor's Office for approval. The Board then reconvenes its meeting on the third Tuesday of April to formally lay the approved levy.
- 2. The Board is also required to submit its proposed budget for the subsequent year to the State Board of Education for approval by the date established in the budget calendar. The Board is also required to hold a public hearing on the proposed budget before it is submitted for approval. The proposed budget must be made available for public inspection for at least 10 days before the public hearing is held.

B. Deficiencies in Net Changes in Fund Balances and Deficit Fund Balances:

The following fund had a deficiency in net changes in fund balances for the year ended June 30, 2009:

Fund
Special Revenue Fund

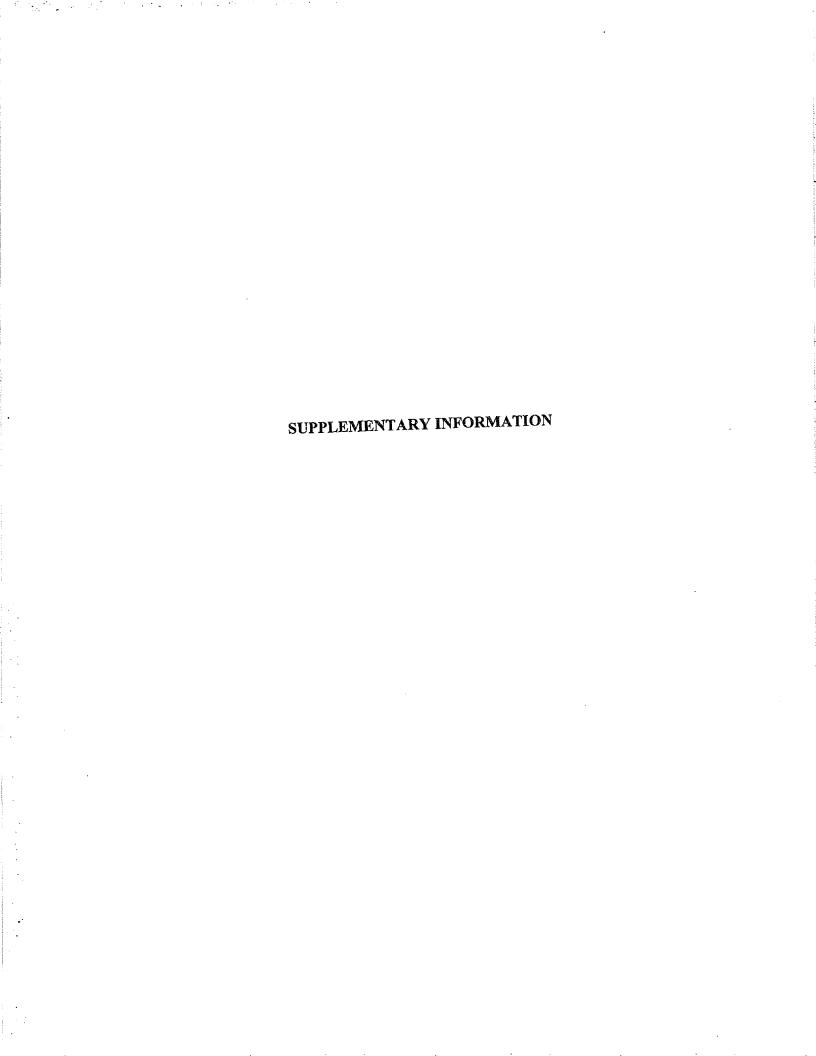
<u>Amount</u> \$ (770,598)

The following fund had a deficiency in fund balance for the year ended June 30, 2009:

Fund Special Revenue Fund

\$ (745,135)

The Special Revenue Fund had a \$(2,847) deficiency in net change due to some projects incurring expenses and offsetting revenues not being credited until after the end of the fiscal year. The remaining \$(767,751) was due to deferred revenue not received within 60 days.



HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -BUDGET AND ACTUAL - CAPITAL PROJECTS FUND

For the Fiscal Year Ended June 30, 2009

						Actual		riance With nal Budget	
		Budget	ed Ar	nounts	Modified		Favorable		
	0	riginal		Final	•	Accrual Basis		(Unfavorable)	
Revenues:					-				
State sources	\$	-	\$	375,000	\$	202,114	\$	(172,886)	
Total revenues				375,000		202,114		(172,886)	
Expenditures:									
Capital outlay		-		375,000		212,528		162,472	
Total expenditures	***************************************			375,000		212,528		162,472	
Excess (deficiency) of revenues over expenditures	****	_				(10,414)		(10,414)	
Other financing sources (uses):									
Transfers in						10,414		10,414	
Total other financing sources (uses)		***		-		10,414		10,414	
Net change in fund balance		-		-		-		_	
Fund balance - beginning						-			
Fund balance - ending	\$	-	\$	-	\$	~	\$	*	

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF CHANGES IN SCHOOL ACTIVITY FUNDS For the Year Ended June 30, 2009

	-	sh Balance 7/1/2008	Revenues Received	Ex	penditures Paid	_	h Balance 30/2009
High Schools:		·					
Oak Glen High	\$	61,654	\$ 239,001	\$	274,387	\$	26,268
Weir High		176,958	228,522		241,977		163,503
JD Rockefeller Career Center		336,001	223,617		188,376		371,242
Total high schools		574,613	 691,140		704,740		561,013
Middle and Junior High Schools:							
Oak Glen Middle		50,678	80,217		85,955		44,940
Weir Middle		61,628	 82,532		78,917		65,243
Total middle and junior high schools		112,306	 162,749		164,872		110,183
Elementary Schools:							
Allison		66,136	69,014		60,579		74,571
Broadview		10,650	13,119		12,742		11,027
Liberty		17,948	38,413		34,048		22,313
New Manchester		19,890	32,313		33,595		18,608
Weirton Heights		16,520	 30,931		33,474		13,977
Total elementary schools		131,144	183,790		174,438		140,496
Total	\$	818,063	\$ 1,037,679	\$	1,044,050	\$	811,692

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE SUPPLEMENTARY INFORMATION

For the Fiscal Year Ended June 30, 2009

A. Budgets and Budgetary Accounting:

All boards of education within West Virginia are required by statute to prepare annual budgets and levy rate estimates on prescribed forms and submit these for approval. Budgets are presented on the modified accrual basis of accounting for all governmental funds, but do not include amounts for other post-employment benefits billed by PEIA beyond the retiree subsidy (pay-as-you-go) amount because only the retiree subsidy amounts are required to be remitted according to WVC §5-16d-6(e). Budgets are not adopted for agency funds. The following procedures are followed in preparing the annual budget:

- 1. Pursuant to State statutes, the Board is required to hold a meeting or meetings between the seventh and twenty-eighth days of March to ascertain its financial condition and to determine the amount that is to be raised from the levy of taxes for the fiscal year commencing July 1. The Board adjourns the meeting and submits its Schedule of Proposed Levy Rates to the State Auditor's Office for approval. The Board then reconvenes its meeting on the third Tuesday of April to formally lay the approved levy.
- 2. The Board is also required to submit its proposed budget for the subsequent year to the State Board of Education for approval by the date established in the budget calendar. The Board is also required to hold a public hearing on the proposed budget before it is submitted for approval. The proposed budget must be made available for public inspection for at least 10 days before the public hearing is held.

B. Deficiencies in Net Changes in Fund Balances and Deficit Fund Balances:

The following fund has a deficit undesignated fund balance at June 30, 2009:

Fund
Capital Projects Fund

<u>Amount</u> \$ (104,706)

Purchase orders were approved for funds expected to be received. Funds have not been received and/or expended.

SINGLE AUDIT REPORTING PACKAGE

HANCOCK COUNTY BOARD OF EDUCATION

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For the Fiscal Year Ended June 30, 2009

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State of West Virginia

Glen B. Gainer III State Auditor and Chief Inspector

Stuart T. Stickel, CPA Deputy Chief Inspector Office of the State Auditor Chief Inspector Division Building 1, Room W-420 Charleston, West Virginia 25305 Toll Free: 877-982-9148 Telephone: (304) 558-2540 FAX: (304) 558-5327 Internet: http://www.wvsao.gov

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Honorable Members of the Board Hancock County Board Of Education New Cumberland, West Virginia

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Hancock County Board of Education, as of and for the year ended June 30, 2009, which collectively comprise the Hancock County Board of Education's basic financial statements and have issued our report thereon dated May 12, 2010. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Hancock County Board of Education's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Hancock County Board of Education's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Hancock County Board of Education's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Hancock County Board of Education's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principals such that there is more than a remote likelihood that a misstatement of the Hancock County Board of Education's financial statements that is more than inconsequential will not be prevented or detected by the Hancock County Board of Education's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Hancock County Board of Education's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Honorable Members of the Hancock County Board Of Education Page Two

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Hancock County Board of Education's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of management, the Board, others within the entity, the West Virginia Department of Education, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

Glen B. Gainer, III

West Virginia State Auditor

May 12, 2010



State of West Virginia

Glen B. Gainer III State Auditor and Chief Inspector

Stuart T. Stickel, CPA Deputy Chief Inspector Office of the State Auditor Chief Inspector Division Building 1, Room W-420 Charleston, West Virginia 25305 Toll Free: 877-982-9148 Telephone: (304) 558-2540 FAX: (304) 558-5327 Internet: http://www.wysao.gov

REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133

Honorable Members of the Hancock County Board Of Education New Cumberland, West Virginia

Compliance

We have audited the compliance of the Hancock County Board of Education with the types of compliance requirements described in the U. S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement that are applicable to each of its major federal programs for the year ended June 30, 2009. The Hancock County Board of Education's major federal programs are identified in the Summary of Auditor's Results section of the accompanying Schedule of Findings and Questioned Costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of Hancock County Board of Education's management. Our responsibility is to express an opinion on Hancock County Board of Education's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Hancock County Board of Education's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of Hancock County Board of Education's compliance with those requirements.

In our opinion, the Hancock County Board of Education complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2009.

Honorable Members of the Hancock County Board Of Education Page Two

Internal Control Over Compliance

The management of the Hancock County Board of Education is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered Hancock County Board of Education's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Hancock County Board of Education's internal control over compliance.

A control deficiency in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of management, the Board, others within the entity, the West Virginia Department of Education, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

Glen B. Gainer, III

West Virginia State Auditor

May 12, 2010

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For the Fiscal Year Ended June 30, 2009

Federal Grantor/Pass-through <u>Grantor/Program or Cluster Title</u>	Pass Through Entity ID <u>Number</u>	Federal CFDA <u>Number</u>	Total Federal <u>Expenditures</u>
U. S. Department of Agriculture			
Pass-through West Virginia Department of Education			
Child Nutrition - Cluster :			
Non-Cash Assistance (Commodities):			
National School Lunch Program	88	10.555	\$63,681_
Total non-cash assistance			63,681
Cash Assistance:			
School Breakfast Program	88	10.553/ 10.555	757,937
National School Lunch Program		10.555	
Total cash assistance			757,937
Subtotal, pass-through West Virginia Depart	rtment of Education		821,618
Total U. S. Department of Agriculture			\$ 821,618

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For the Fiscal Year Ended June 30, 2009

Federal Grantor/Pass-through Grantor/Program or Cluster Title	Pass Through Entity ID <u>Number</u>	Federal CFDA <u>Number</u>	<u>E</u> :	Total Federal xpenditures
U. S. Department of Education				
Pass-through West Virginia Department of Education				
Adult Education - Basic				
Grants to States	61	84.002	\$	23,039
Title I Grants to Local				
Educational Agencies	41	84.010		710,077
<u>Special Education Cluster:</u> Special Education -				
Grants to States (IDEA, Part B)	43	84.027		1,117,667
Preschool Grants (IDEA Preschool)	43	84.173		13,460
Career and Technical Education - Basic				
Grants to States	50	84.048		65,568
Safe and Drug-Free Schools and				
Communities - State Grants	48	84.186		23,617
State Grants for Innovative Programs	42	84.298		41,656
Special Education - State Personnel				
Development	43	84.323		9,165
English Language Acquisition Grant	45	84.365		800
Improving Teacher Quality				
State Grants	40	84.367		281,710
Total Pass-through West Virginia Departm	ent of Education		***************************************	2,286,759
Total U. S. Department of Education				2,286,759
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TOTAL EXPENDITURES OF FEDERAL AWAR	നാ		»	3,108,377

N.A. = Not Available

HANCOCK COUNTY BOARD OF EDUCATION NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For the Fiscal Year Ended June 30, 2009

Note 1. Basis of Presentation

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of the board and is presented on a basis of accounting principles generally accepted in the United States of America. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in preparation of, the financial statements.

Note 2. Child Nutrition Program

Child Nutrition Program [CFDA #10.553 and #10.555] expenditures of federal awards are based on the amount of federal funding received for each of the programs. Since the amount of total expenditures for the programs exceeds the amount of the federal awards received, it is presumed that the total received from the federal awards has been expended. The amount of expenditures funded by meal sales, sponsor's contributions and state matching funds for both programs has not been included in the Schedule of Expenditures of Federal Awards. The total combined expenditures for the two programs as funded from all sources was \$1,722,146.

Note 3. Donated Food Value

Donated food distribution represents surplus agricultural commodities received from the U.S. Department of Agriculture passed through from the West Virginia Department of Agriculture. Commodities are valued based on amounts as established by the U.S. Department of Agriculture. For the year ended June 30, 2009 total value of the donated food inventories was \$63,681, which is included in the Child Nutrition cluster of programs.

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF FINDINGS AND QUESTIONED COSTS

For the Fiscal Year Ended June 30, 2009

Section I - Summary of Auditor's Results

Section 1 - Summary of Auditor's Rest	1112
Financial Statements	
Type of auditor's report issued:	Unqualified
Internal control over financial reporting:	
• Material weaknesses identified?	<u>No</u>
 Significant deficiencies identified that are not considered to be material weaknesses? 	<u>No</u>
Noncompliance material to financial statements noted?	<u>No</u>
Federal Awards	
Internal control over major programs:	
Material weaknesses identified?	No
• Significant deficiencies identified that are not considered to be material weaknesses?	<u>No</u>
Type of auditor's report issued on compliance for major programs:	<u>Unqualified</u>
Any audit findings disclosed that are required to be reported in accordance with section §510(a) of OMB Circular A-133 ?	<u>No</u>
Identification of major programs:	
Name of Federal Program or Cluster	CFDA Numbers
Title I Grants to Local Educational Agencies	84.010
<u>Special Education Cluster:</u> Special Education -	
Grants to States (IDEA, Part B) Preschool Grants (IDEA Preschool)	84.027 84.173
Dollar threshold used to distinguish between type A and	
type B program:	\$300,000
Auditee qualified as low-risk auditee?	<u>No</u>

HANCOCK COUNTY BOARD OF EDUCATION SCHEDULE OF FINDINGS AND QUESTIONED COSTS For the Fiscal Year Ended June 30, 2009

Section II - Financial Statement Findings

NO MATTERS WERE REPORTED

Section III - Federal Award Findings and Questioned Costs

NO MATTERS WERE REPORTED

HANCOCK COUNTY BOARD OF EDUCATION SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

For the Fiscal Year Ended June 30, 2009

Status of Prior Year Financial Statement Findings

Finding #08-01

Finding Title: Expenditures

Finding was corrected

Finding #08-02

Finding Title: Failure to Execute Proper Contracts

Finding was corrected.

ECONOMIC AND DEMOGRAPHIC DATA COUNTY OF HANCOCK (WEST VIRGINIA)

Introduction

Location:

Hancock County (the "County") is located in the northern panhandle of West Virginia. The City of New Cumberland is located 153 miles from Charleston, the capital of West Virginia; 29 miles from Pittsburgh, PA.; 215 miles from Washington, DC; 133 miles from Columbus, OH and 99 miles from Cleveland,

OH.

County Seat:

City of New Cumberland

The County:

The County is governed by, and generally acts through, The County The Commissioners of the County Commission of Hancock County. Commission are elected on a countywide basis. The County has the power, pursuant to Article 1 of Chapter 7 of the Code of West Virginia of 1931, as

amended, to create and establish the Commission.

Commissioners: Michael Swartzmiller, President Danny Greathouse, Commissioner

Jeff Davis, Commissioner

Population

Year	Hancock County	West Virginia	United States
2000	32,525	1,806,962	282,171,957
2005	30.865	1.803.920	295,753,151
	29.729	1.819,777	307,006,550
2009	29,129	1,015,777	

Source: U.S. Bureau of Economic Analysis

Economy (March 2010)

The ten (10) largest employers for the year 2010 in the County are:

- Mountaineer Park, Inc. 1
- The Homer Laughlin China Company
- Arcelormittal Weirton, Inc.
- Hancock County Board of Education
- Bellofram Corporation
- Wal-Mart Stores, Inc.
- Weirton Geriatric Center, Inc. 7
- The Kroger Company
- Ergon-West Virginia, Inc. 9
- City of Weirton 10

Source: WORKFORCE West Virginia

Average Annual Unemployment Rates (%)

Year	Hancock County	West Virginia
2005	7.1	4.9
2006	7.0	4.5
2007	5.3	4.2
2008	5.7	4.3
2009	11.5	7.9
2010 (Sept)	12.7	8.6

Source: WORKFORCE West Virginia - Based on civilian labor force

Average Employment by Industry

Industry	2007	2008	2009	2010 (2 nd Quarter)
Natural Resources & Mining				12
Construction	238	191	142	146
Manufacturing	3,163	2,869	2,830	2,796
Trade, Transportation & Utilities	1,896	1,882	1,889	1,951
Information	50	47	40	38
Financial Activities	401	401	395	386
Professional & Business Services	494	443	443	428
Education & Health Services	1,040	1,051	1,047	1,095
Leisure and Hospitality	2,673	3,184	2,732	2,672
Other Services	279	281	283	284
Government	<u>1,350</u>	<u>1,374</u>	1,369	1,447
TOTAL	11,631	11,766	11,194	11,263

Source: WORKFORCE West Virginia

Average Employment and Average Weekly Wage

	Average Employment		Average Weekly Wage	
	2005	2009	2005	2009
Hancock County	12,603	11,194	\$553.69	\$597.08
West Virginia	695,300	691,921	\$602.77	\$709.52

Source: WORKFORCE West Virginia

Per Capita Personal Income

County	2005	2008	2008 Rank in State
United States	\$ 35,424	\$ 40,166	
West Virginia	\$ 26,686	\$ 31,634	
Hancock County	\$26,315	\$31,243	13

Source: U.S. Bureau of Economic Analysis

Wages Per Industry (2009) (\$)

Industry	Total Wages	Average Weekly Wage
Natural Resources & Mining		
Construction	3,999,813	541.69
Manufacturing	130,101,702	884.08
Trade, Transportation & Utilities	45,431,158	462.50
Information	1,454,804	699.42
Financial Activities	12,513,683	609.23
Professional & Business Services	17,893,973	776.79
Education & Health Services	25,932,141	476.31
Leisure and Hospitality	58,310,301	410.44
Other Services	4,610,205	313.27
Government	<u>46,415,943</u>	<u>652.02</u>
TOTAL	347,552,432	597.08

Source: WORKFORCE West Virginia

Total Wages (\$)

Year	Hancock County	West Virginia
2005	362,862,033	21,793,516,080
2006	350,856,111	23,079,570,075
2007	346,068,807	24,083,126,318
2008	370,864,577	25,534,204,980
2009	347,552,432	25,528,702,813

Source: WORKFORCE West Virginia

Community Data

Education Facilities	
Elementary	5
Middle or Jr. High	2
High Schools	2
Vocational Schools	1
Colleges (within 50 miles):	
Bethany College	
West Liberty University	
Wheeling Jesuit University	

Recreational Facilities	
State Forests	0
State Parks	1
Wildlife Management Areas	1
Public Hiking Trails (miles)	3.4
Public Fishing & Boating Lakes	0
Recreational Rivers (boating/rafting)	1
Museums/Art Galleries	1
Golf Courses – Private/Public	2/2
National Forests	0
National Park & Recreational Areas	0
Amphitheaters/Performing Arts Centers	1
Pro/Semi-pro Sports Teams	0
Regional Shopping Centers/Malls/	2
outlets within 25 miles	
Major Private Recreation/Resort Areas	1
Civic/Convention Centers	0
Medical	
Hospitals	0
Beds	0
Doctors	54
Dentists	18
Licensed Nursing Homes	3
Beds	230

Transportation	
Highways:	
Interstates	
WV Routes	30
US Routes	2, 8, 105
Motor freight carriers	5
River, nearest navigable	1
Industrial Parks	0
Industrial Sites	0
Airports:	
Herron Airport, New Cumberland, WV	
Pittsburgh International Airport, PA	
Railroads:	1
Motor Freight Carriers	5
Bus Service (local and interstate)	2

Utilities		
Telephone Service:	1	
Natural Gas:	1	
Private/M	Iunicipal/PSD	
Electricity:	1/0/	
Sewer:	1/2/1	
Water	0/1/3	
Other Data		
Licensed Day Care Centers	6	
Banks (including branches)	9	
Savings & Loans (including branches)	2	
Libraries	3	

Sources: West Virginia, Bureau of Employment Programs, Research, Information and Analysis, except as otherwise noted.

101 South Queen Street Martinsburg, West Virginia 25401 (304) 263-0836

7000 Hampton Center Morgantown, West Virginia 26505 (304) 285-2500

333 West Vine Street, Suite 1700 Lexington, Kentucky 40507-1639 (859) 252-2202



STEORNEYS AT LAW

600 Quarrier Street Charleston, West Virginia 25301

Post Office Box 1386 Charleston, West Virginia 25325-1386 (304) 347-1100

www.bowlesrice.com

March 10, 2011

APPENDIX C

5th Floor, United Square 501 Avery Street Parkersburg, West Virginia 26101 (304) 485-8500

480 West Jubal Early Drive Suite 130 Winchester, Virginia 22601 (540) 723-8877

The Board of Education of the County of Hancock New Cumberland, West Virginia

Wells Fargo Bank, National Association Charlotte, North Carolina

Re: \$37,000,000 The Board of Education of Hancock County

[West Virginia] Public School Bonds, Series 2011

Dear Ladies and Gentlemen:

We have examined a record of the proceedings relative to the issuance and sale of \$37,000,000 Public School Bonds, Series 2011 (the "Bonds"), of Hancock County School District, by and through The Board of Education of the County of Hancock (the "Issuer") in the State of West Virginia. The Bonds are issued in fully registered form, are dated March 10, 2011, upon original issuance, are numbered in order of maturity from R-1 consecutively upward, are of the denominations of \$5,000 or integral multiples thereof, mature on May 1 in the years and amounts and bear interest payable each May 1 and November 1, commencing November 1, 2011, at the rates set forth in the Official Statement of the Issuer, dated February 24, 2011.

The Bonds were authorized at the general election held in the Hancock County School District on November 2, 2010, and by a Resolution and Order adopted by the Issuer on July 12, 2010, as supplemented (such Resolution and Order, as supplemented, herein called the "Resolution"), and are issued pursuant to Chapter 13, Article 1 of the West Virginia Code of 1931, as amended (the "Act"), for the purposes of providing funds for the acquisition, construction, renovation, repair and equipping of certain public school buildings, together with the sites thereof and all necessary appurtenances, in the Hancock County School District, and paying costs of issuance of the Bonds.

As to questions of fact material to our opinion, we have relied upon the representations, covenants and certifications of the Issuer contained in the Resolution, a Tax and Arbitrage Certificate of the Issuer dated the date hereof (the "Tax Certificate") and the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.



The Board of Education of the County of Hancock Wells Fargo Bank, National Association March 10, 2011 Page 2

We have not been engaged or undertaken to review the accuracy, completeness or sufficiency of the Official Statement or other offering material relating to the Bonds (except to the extent, if any, stated in the Official Statement), and we express no opinion relating thereto (excepting only the matters set forth as our opinion in the Official Statement).

Based upon the foregoing, and assuming compliance with the representations, covenants and certifications of the Issuer contained in the Resolution, the Tax Certificate and the certified proceedings and the certifications made in connection with the issuance of the Bonds, we are of the opinion that, under existing law:

- 1. The Issuer is a school district presently existing under the laws of, and a political subdivision of, the State of West Virginia, with full power and authority to adopt the Resolution and to issue and sell the Bonds under the provisions of the Act and other applicable provisions of law.
- 2. The Bonds have been duly authorized and validly issued by the Issuer in accordance with the Constitution and statutes of the State of West Virginia and constitute valid and legally binding general obligations of the Issuer, and unless the Bonds are paid from other sources, the Issuer has power and is obligated to levy ad valorem taxes upon all the taxable property within the Hancock County School District to pay the Bonds and the interest thereon, without limitation as to rate or amount.
- 3. Under existing laws, regulations, rulings and judicial decisions of the United States of America, as presently written and applied, the interest on the bonds is not includable in gross income of the owners thereof for Federal income tax purposes and is not an item of tax preference for purposes of the Federal alternative minimum tax imposed upon individuals and corporations. The opinions set forth in the preceding sentence are subject to the condition that the Issuer comply, on a continuing basis, with all representatives, covenants and certifications set forth in the Resolution, the Tax Certificate and the certified proceedings and other certifications of the Issuer. Failure to comply with such representations, covenants and certifications could cause the interest on the Bonds to be includable in gross income retroactive to the date of issuance of the Bonds. We express no opinion regarding other federal tax consequences arising with respect to the Bonds.
- 4. Under the Act, the Bonds are exempt from taxation by the State of West Virginia or any political subdivision thereof.

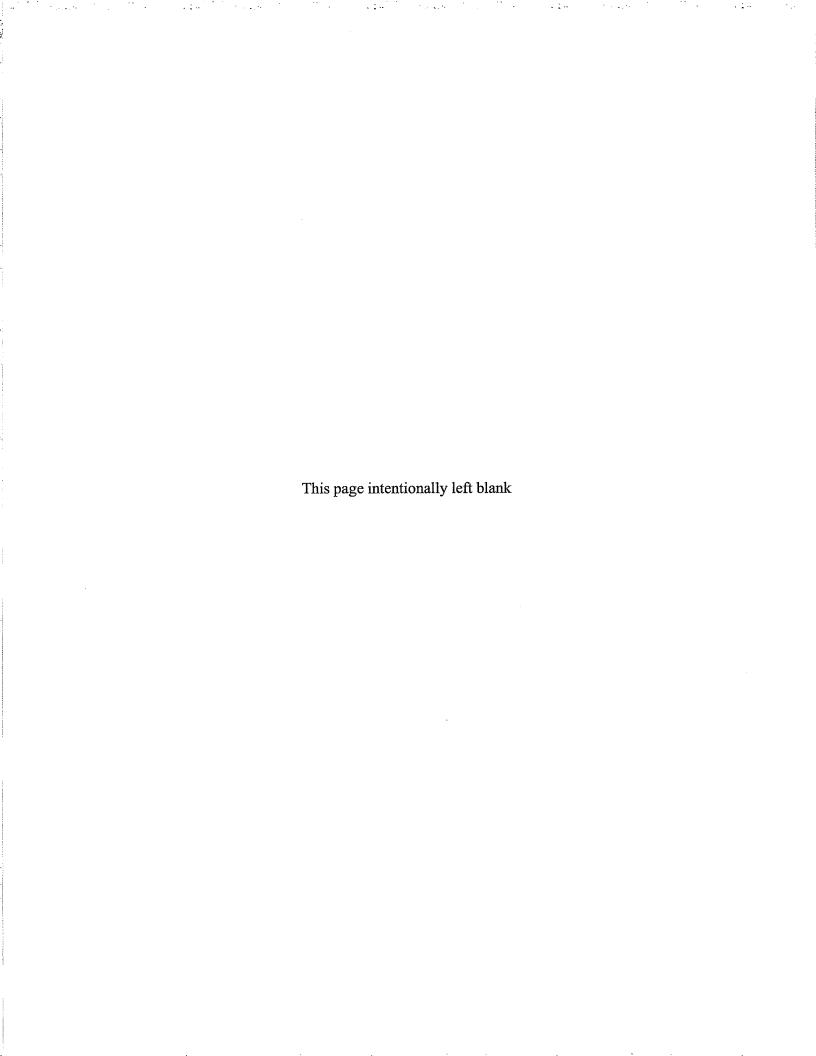


The Board of Education of the County of Hancock Wells Fargo Bank, National Association March 10, 2011 Page 3

Please be advised that the enforcement of remedies with respect to the Bonds is subject to any applicable bankruptcy, reorganization, insolvency, moratorium or other laws affecting the enforcement of creditors' rights heretofore or hereafter enacted, and that enforcement May also be subject to the exercise of judicial discretion in appropriate cases.

We have examined the executed and authenticated Bond No. R-1 of said issue, and in our opinion, said Bond is in proper form and has been duly executed and authorized.

Very truly yours,



HANCOCK COUNTY BOARD OF EDUCATION PROPOSED PROJECTS

PROJECT	LOCATION	ESTIMATED COST	
A.T. Allson Elementary Construct Physical Education and 3 Pre-K Classrooms.	Existing A.T. Allison Blementary School. Chester, West Virginia	Bond Funds	\$5,269,112
Renovations including without limitation: Site Drainage, Landscaping, Bollards, PlayYards, Paving & Parking, Windows, Exterior Doors, Joint Sealing, Downspouls, Ceilings, Flooring, HVAC, Lights, Security Cameras, Restrooms, Electrical, Data Wiring, Fire Sprinklering and Asbestos Abatement.			
New Manchester Elementary Construct Physical Education and 3 Pro-K Classrooms.	Existing New Manchester Elementary School New Cumberland, West Virginia	Bond Funds	\$6,189,232
Renovations including without limitation: Site Drainage, Landscaping, Bollards, PlayYards, Paving & Parking, Roofing, Windows & Curtain Wall, Exterior Doors, Joint Sealing, Downspouts, Coilings, Flooring, Elevator, HVAC, Lights, Security Cameras, Restrooms, Electrical, Lighting, Data Wiring, Fire Sprinklering and Asbestos Abatement:			
Oak Glen Middle School Construct Wrestling Building.	Existing Oak Glen Middle School New Cumberland, West Vinginia	Bond Funds:	\$784,675
Oak Glen High School Renovations including without limitation: Science Department and Restrooms.	Existing Galt Glen High School New Cumberland, West Virginia	Bond Punds	\$7,768,437
Complete the Field of Dreams, including paved & lighted parking lots, paved & lighted access drives, lighted stairs to OGHS, concession stand, restrooms and maintenance building; in addition to baseball/softball field bleachers, press boxes, PA systems and scoreboards. New Football/Soceer Stadium Including Artificial Turt Field, Bleacher Scating for 3,000, Restrooms, Game Locker Roams, Concessions, Pressbox, Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional campus parking for games.			
Weir Middle School Renovations including without limitation: Restrooms, Disabled Access Behind MS Auditorium, and MS Auditorium Scatting Replacement.	Existing Weir Middle School Weitton, West Virginia	Bond Funds	\$669, 669
Weir High School			
Renovations including without limitation: Exertior Concrete Stairs & Walks, Science Department, Restrooms and HS Auditorium Scating Replacement.	Existing Weir High School Weirton, West Virginia	Bond Funds	\$7,330,193*
New Football/Soccer Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Pressbox, Upgrading of Existing Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional campus parking for games,			
John D. Rockefeller, IV Career Center Recovations including without limitation: Heating, Ventilating and Air Conditioning.	Bristing John D. Rockefeller, IV Career Center New Cumberland, West Virginia	Bond Funds	51, 3 <i>5</i> 8,900.

PROJECT

LOCATION

ESTIMATED COST

New Weirton Elementary School

Acquisition of land, construction and equipping of New 950-Student Prek-4 Elementary School (includes demolition of Broadview, Liberty & Weston Heights existing elementary schools).

New Weirton Elementary School To be located in the 3400 block of Pennsylvania Avenue in Weirton, West Virginia
 SBA Grant
 \$19,000,000

 Bond Funds
 7,629,782

 Total
 \$26,629,782

TOTAL PROPOSED BOND CALL:

Project Costs: Third Party Funds: Total Proposed Bond Call \$56,000,000 \$ 19,000,000 \$37,000,000

BOOK-ENTRY ONLY SYSTEM

DTC Supplied Disclosure of Book Entry Only System

The following information about the book-entry-only system applicable to the Series 2011 Bonds has been supplied by The Depository Trust Company ("DTC"), New York, New York. Neither the Board, nor the Registrar nor the Paying Agent makes any representations, warranties or guarantees with respect to its accuracy or completeness.

- 1. DTC will act as securities depository for the Series 2011 Bonds. The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of the Series 2011 Bonds, in the aggregate principal amount of the Series 2011 Bonds and will be deposited with DTC.
- 2. DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 2 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a whollyowned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC, in turn, is owned by a number of Direct Participants of DTC and Members of the National Securities Clearing Corporation, Fixed Income Clearing Corporation and Emerging Markets Clearing Corporation (NSCC, FICC, and EMCC, also subsidiaries of DTCC), as well as by the New York Stock Exchange, Inc., the American Stock Exchange LLC, and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has Standard & Poor's highest rating: AAA. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com and www.dtc.org.
- 3. Purchases of Series 2011 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Series 2011 Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Series 2011 Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership

interests in Series 2011 Bonds, except in the event that use of the book-entry system for the Series 2011 Bonds is discontinued.

- 4. To facilitate subsequent transfers, all Series 2011 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Series 2011 Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Series 2011 Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Series 2011 Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.
- 5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of the Series 2011 Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Series 2011 Bonds, such as redemptions, tenders, defaults, and proposed amendments to the bond documents. For example, Beneficial Owners of Series 2011 Bonds may wish to ascertain that the nominee holding the Series 2011 Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Registrar and request that copies of notices be provided directly to them.
- 6. Redemption notices shall be sent to DTC. If less than all of the Series 2011 Bonds are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.
- 7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Series 2011 Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Commission as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Series 2011 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).
- 8. Redemption proceeds, distributions, and interest payments on the Series 2011 Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Board or the Paying Agent, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with Series 2011 Bonds held for the accounts of customers in bearer form or registered in "street name" and will be the responsibility of such Participant and not of DTC nor its nominee, the Registrar or the Board, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Board or the Paying Agent, disbursement of such payments to the Beneficial Owners will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

- 9. DTC may discontinue providing its services as securities depository with respect to the Series 2011 Bonds at any time by giving reasonable notice to the Board or the Registrar. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.
- 10. The Board may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.
- 11. The information in this exhibit concerning DTC and DTC's book-entry system has been obtained from sources that the Board believes to be reliable, but the Board takes no responsibility for the accuracy thereof.

No Assurances Regarding DTC Practices

The Board, the Paying Agent and the Registrar cannot and do not give any assurances that the DTC, the Direct Participants or the Indirect Participants will distribute to the Beneficial Owners of the Series 2011 Bonds (1) payments of principal of or interest and premium, if any on the Series 2011 Bonds, (2) confirmations of beneficial interest in the Series 2011 Bonds, or (3) redemption or other notices sent to DTC or Cede & Co., its nominee, as registered owner of the Series 2011 Bonds, or that they will do so on a timely basis, or that DTC, DTC participants or Indirect Participants will serve and act in the same manner as described in this Official Statement. The current "rules" applicable to DTC are on file with the Securities and Exchange Commission, and the current procedures of the DTC to be followed in dealing with Direct Participants are on file with DTC.

Neither the Board, the Paying Agent nor the Registrar shall have any authority or obligation to any Direct Participant, Indirect Participant, Beneficial Owner or other person with respect to (1) the accuracy of any records maintained by the DTC or any Participant; (2) the payment by DTC or any Participant of any amount due to any Beneficial Owner in respect of the principal amount or redemption price or interest on the Series 2011 Bonds; (3) the delivery by DTC or any Participant of any notice to any Beneficial Owner which is required or permitted under the terms of the Series 2011 Bonds Resolution to be given to the Bondholders; or (4) the selection of the Beneficial Owners to receive payment in excess of any partial redemption of the Series 2011 Bonds.

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ELECTED OFFICIALS OF THE BOARD

PRESIDENT OF THE BOARD

Gerald (Jerry) L. Durante is a lifelong resident of the state of West Virginia. Upon graduation from high school, he attended Franciscan University from 1961 thru 1965 where he graduated with majors in education and political science. Following graduation from Franciscan University, Mr. Durante was enrolled at West Virginia University where he completed graduate studies in school administration. Hancock County Schools employed Mr. Durante as a Teacher from1965 thru 1972 until he accepted a position with Weirton Steel Company. He retired as Manager of Security at Weirton Steel and accepted a position as Transportation Director for Hancock County Schools. He retired from that position in 2007. Mr. Durante first served as a member of the Hancock County Board of Education from 1975 thru 1986 and served as its President for eight (8) consecutive years. In 2007, he, again, joined the Hancock County Board of Education filling an unexpired term until 2008. In 2008, he was re-elected to the Board where he currently serves as its President.

BOARD MEMBERS

Patsy T. Brancazio is retired from Weirton Steel Company after 24 years. Since his retirement, he has worked in managerial positions in several businesses including a Retirement Corporation, Huntleigh USA, and Firestone Tire and Rubber Company. He is currently employed part-time at Greco-Hertnick Funeral Home in Weirton, West Virginia. Mr. Brancazio has completed coursework at both West Virginia Northern Community College and the College of Steubenville. He also has attended numerous educational trainings in West Virginia and throughout the United States. Service on the Hancock County Board of Education for Mr. Brancazio first began in 1980 and extended three four-year terms until 1992. This period of service included serving as the Board's President from 1984 thru 1988. Mr. Brancazio was again elected to the Board of Education in 2008, and this term will expire June 30, 2012. He currently has 14 years of service. County service for Mr. Brancazio extends beyond the Hancock County Board of Education. He is an active participant on the Advisory Board for the Regional Educational Service Agency for the northern panhandle of West Virginia. He also participates as a bell ringer for the Salvation Army and is a supporting member of the Friends of West Virginia Northern Community College.

Laura J. Greathouse graduated with a bachelor's degree in elementary education in 1986 from the University of Steubenville, Steubenville, Ohio. Following the awarding of her bachelor's degree, Ms. Greathouse completed a master's degree specializing in special education. Teaching and working with youth through community activities, Ms. Greathouse has made children her life. She began working as a teaching aide in Hancock County Schools in 1970. While working as a teaching aide, she pursued her teaching credentials. In 1986, she started substitute teaching and continued until her full-time teaching career began in 1990. She retired from teaching in 2005 but has remained very involved with an extensive list of community and civic projects such as Energy Express, West Virginia University Extension Board, Read Aloud, and many church-related organizations. She still lectures at local colleges and universities in effective child discipline and understanding special needs children. Ms. Greathouse completed her first term of the Board of Education and was re-elected to serve a four-year term from July 1, 2010, thru June 30, 2014.

Toni M. Hinerman graduated from West Liberty State College, West Liberty, West Virginia, in 1965 with a bachelor's degree in elementary education. She furthered her education at the University of Dayton on the College of Steubenville campus where she completed a master's degree in counselor education and human services. She completed several graduate hours in education beyond her master's. Education is Mrs. Hinerman's passion. She served a total of 24 years as an elementary teacher in Hancock County Schools. While employed as a teacher, she sponsored numerous extra-curricular activities. She also participated in multiple educational seminars and trainings. Mrs. Hinerman was elected to a four-year term to the Hancock County Board of Education which began July 1, 2010, and will extend thru June 30, 2014.

John R. Manypenny, upon graduation from high school in Hancock County, earned an associate degree in business while employed at Weirton Steel Company. He remained at Weirton Steel for 33 years until his retirement in 2002. Following his retirement from Weirton Steel, Mr. Manypenny was employed by the Hancock County Senior Wellness Center where he has provided services for the past eight (8) years. Mr. Manypenny began serving on the Hancock County Board of Education in 1986 and continued until 1996, which included being its President from 1994 thru 1996. He was appointed to a vacancy in 1997 and served until 1998. In 2002, he returned to the Board, and his current term will expire in 2014. Dedicated to the services of youth, Mr. Manypenny has been very active in community activities such as Boy Scouts, where he served as a counselor and leader. He coached both Pony League and Babe Ruth baseball, basketball, and was a member and an officer of various booster clubs. The past 14 years, he has served as a member of the Board of Directors for the Hancock County Sheltered Workshop.

APPOINTED OFFICIALS OF THE BOARD

SUPERINTENDENT

Suzan L. Smith has served Hancock County Schools as its Superintendent since July 1, 2007. She was chosen from a field of candidates by an elected five-member Board of Education. She is responsible for the total operation of the school district and organizing the school system in a manner which provides the best educational opportunities for students in relationship to the resources available for that purpose.

Prior to being appointed to Superintendent for Hancock County Schools, Ms. Smith served as its Assistant Superintendent from 2004 thru 2007. Her duties in this position included directing professional staff development, public relations, federal programs, career education, countywide personnel, countywide testing, and pre-k-adult curriculum.

Ms. Smith also served as the Director of the John D. Rockefeller IV Career Center from 2000 thru 2004. In addition to having full responsibility for running the career center, she also coordinated the high school and middle school curriculum and all adult education programs.

Ms. Smith began her career in Hancock County at Oak Glen High School -- hired as a Teacher from 1972 thru 1975, an Assistant Principal from 1975 thru 1996, and as Principal from 1996 thru 2000. As Principal, she served on the Board of Directors of the West Virginia Secondary Schools' Association, the West Virginia Office of Educational Performance Audits, Evaluation Team, and a three-year term on the National Merit Scholarship Advisory Board.

In addition to Ms. Smith's successful work experiences, she holds a bachelor of arts degree from West Liberty State College with certification as a Teacher in Social Studies, Safety and Driver education, and Physical Education. Her master's degree was earned at West Virginia University in Educational Administration. She has an additional 45 hours above the master's degree in addition to numerous seminars and training completed in West Virginia and throughout the United States.

ASSISTANT SUPERINTENDENT

Wayne E. Neely graduated with a bachelor of science in Health/Physical Education/Driver Education K-12 from Indiana University of Pennsylvania in 1978. In 1985, he was awarded a master of arts in Speech Communications from West Virginia University. He enrolled in and completed a master of science in Educational Administration in 2001. He obtained a professional administrative certificate for Superintendent, Supervisor of General Instruction, and Principal K-12 redentials through Salem International University in 2005. In addition to his degree work, Mr. Neely has attended educational seminars throughout the country.

Starting in 1979, Mr. Neely taught health, physical education, and driver education in Hancock County Schools. He moved from the classroom to become an Assistant Principal in 1999. He was elevated to Principal at Oak Glen High School in 2004. Mr. Neely was chosen as Hancock County's Assistant Superintendent in 2007.

Mr. Neely has an extensive list of professional highlights including coaching a West Virginia State Championship Football Team, being chosen as the Ohio Valley Coach of the Year, serving as a Mentor Principal, presenting at state and national conferences, implementing the first Freshman Academy in Hancock County, the 9th and 10th grade Strategic Reading Program, and numerous innovative curriculum enhancements for the Hancock County Schools.

TREASURER/CHIEF SCHOOL BUSINESS OFFICIAL

Joseph Campinelli, III graduated from West Liberty State College in 1986 with a bachelor's degree in business administration. Upon graduation, he was employed as a Field Auditor for boards of education with the West Virginia Chief Inspector's office. He traveled throughout the state performing financial audits on boards of education.

In 1989, Mr. Campinelli was employed by the Hancock County Board of Education as an accountant. He served in that capacity until 1998 when he was promoted to the position of Coordinator of School Finance. He was appointed by the Board of Education as its Treasurer/Chief School Business Official in 2000.

Mr. Campinelli has been a very active member of the West Virginia Association of School Business Officials, the Southeastern Association of School Business Officials, and the Association of School Business Officials International. He has served in several leadership capacities in these organizations including vice president and president.

FORM OF CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (the "Disclosure Agreement") is executed and delivered by THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (the "Board"), and WesBanco Bank, Inc., Wheeling, West Virginia (the "Dissemination Agent"), in connection with the issuance of \$37,000,000, The Board of Education of the County of Hancock (West Virginia), Public School Bonds, Series 2011 (the "Series 2011 Bonds");

In connection with the foregoing, and in consideration thereof, the Board and the Dissemination Agent covenant and agree as follows:

Section 1. Purpose of this Agreement. This Agreement is executed and delivered by the Board as of the date set forth below, for the benefit of the holders and owners (the "Bondholders") of the Series 2011 Bonds and in order to assist the Participating Underwriters (as defined below) in complying with the requirements of the Rule (as defined below). The Board represents that it will be the only obligated person (as defined in the Rule) with respect to the Series 2011 Bonds at the time the Series 2011 Bonds are delivered to the Participating Underwriters and that no other person is expected to become an obligated person at any time after the issuance of the Series 2011 Bonds.

Section 2. Definitions. The terms set forth below shall have the following meanings in this Agreement, unless the context clearly otherwise requires.

"Annual Financial Information" means the financial information and operating data described in Exhibit I.

"Annual Financial Information Disclosure" means the dissemination of disclosure concerning Annual Financial Information and the dissemination of the Audited Financial Statements as set forth in Section 4.

"Audited Financial Statements" means the audited consolidated financial statements of the Board, prepared pursuant to the standards and as described in Exhibit I.

"Commission" means the U.S. Securities and Exchange Commission.

"Dissemination Agent" means any agent designated as such in writing by the Board and which has filed with the Board a written acceptance of such designation, and such agent's successors and assigns.

"EMMA" means the Electronic Municipal Market Access facility for municipal securities disclosure of the MSRB.

"Exchange Act" means the Securities Exchange Act of 1934, as amended.

"Material Event" means the occurrence of any of the events with respect to the Series 2011 Bonds set forth in Exhibit II.

"Material Events Disclosure" means dissemination of a notice of a Material Event as set forth in Section 5.

"MSRB" means the Municipal Securities Rulemaking Board.

"Participating Underwriters" means each broker, dealer or municipal securities dealer acting as an Underwriter in any primary offering of the Series 2011 Bonds.

"Prescribed Form" means, with regard to the filing of Annual Financial Information, Audited Financial Statements and notices of Material Events with the MSRB at www.emma.msrb.org (or such other address or addresses as the MSRB may from time to time specify), such electronic format, accompanied by such identifying information, as shall have been prescribed by the MSRB and which shall be in effect on the date of filing of such information.

"Rule" means Rule 15c2-12 adopted by the Commission under the Exchange Act, as the same may be amended from time to time.

"State" means the State of West Virginia.

"Undertaking" means the obligations of the Board pursuant to Sections 4 and 5.

Section 3. CUSIP Number/Final Official Statement. The CUSIP Number of the final maturity of the Series 2011 Bonds is 410090DC5. The final Official Statement relating to the Series 2011 Bonds is dated February 24, 2011 (the "Final Official Statement").

Section 4. Annual Financial Information Disclosure. Subject to Section 9 of this Agreement, the Board hereby covenants that it will disseminate the Annual Financial Information and the Audited Financial Statements (in the form and by the dates set forth below and in Exhibit I). The Board may deliver such Annual Financial Information and the Audited Financial Statements to the MSRB within 270 days of the completion of the Board's fiscal year. However, if the Audited Financial Statements are not available at that time, they will be provided within 10 business days of receipt by the Board.

The Board is required to deliver such information in Prescribed Form and by such time so that such entities receive the information by the dates specified.

If any part of the Annual Financial Information can no longer be generated because the operations to which it is related have been materially changed or discontinued, the Board will disseminate a statement to such effect as part of its Annual Financial Information for the year in which such event first occurs.

If any amendment is made to this Agreement, the Annual Financial Information for the year in which such amendment is made (or in any notice or supplement provided to the MSRB) shall contain a narrative description of the reasons for such amendment and its impact on the type of information being provided.

- Section 5. Material Events Disclosure. Subject to Section 9 of this Agreement, the Board hereby covenants that it will disseminate in a timely manner, not in excess of 10 business days after the occurrence of the event, Material Events Disclosure to the MSRB in Prescribed Form. Notwithstanding the foregoing, notice of optional or unscheduled redemption of any Series 2011 Bonds or defeasance of any Series 2011 Bonds need not be given under this Agreement any earlier than the notice (if any) of such redemption or defeasance is given to the owners of the Series 2011 Bonds pursuant to the Indenture. From and after the Effective Date, the Board is required to deliver such Material Events Disclosure in the same manner as provided by Section 4 of this Agreement.
- Section 6. Duty To Update EMMA/MSRB. The Board shall determine, in the manner it deems appropriate, whether there has occurred a change in the MSRB's e-mail address or filing procedures and requirements under EMMA each time it is required to file information with the MSRB.
- Section 7. Consequences of Failure of the Board to Provide Information. The Board shall give notice in a timely manner, not in excess of 10 business days after the occurrence of the event, to the MSRB in Prescribed Form of any failure to provide Annual Financial Information Disclosure when the same is due hereunder.

In the event of a failure of the Board to comply with any provision of this Agreement, the Bondholder of any Bond may seek specific performance by court order to cause the Board to comply with its obligations under this Agreement. A default under this Agreement shall not be deemed an Event of Default under the Series 2011 Bonds or any agreement related thereto, and the sole remedy under this Agreement in the event of any failure of the Board to comply with this Agreement shall be an action to compel performance.

- Section 8. Amendments; Waiver. Notwithstanding any other provision of this Agreement, the Board may amend this Agreement, and any provision of this Agreement may be waived, if:
 - (i) The amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the Board or type of business conducted;
 - (ii) This Agreement, as amended, or the provision, as waived, would have complied with the requirements of the Rule at the time of the primary offering, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
 - (iii) The amendment or waiver does not materially impair the interests of the Bondholders of the Series 2011 Bonds, as determined either by parties unaffiliated with the Board or by an approving vote of the Bondholders of the Series 2011 Bonds holding a majority of the aggregate principal amount of the Series 2011 Bonds (excluding Series 2011 Bonds held by or on behalf of the Board or its affiliates) pursuant to the terms of the Bond Order at the time of the amendment; or
 - (iv) The amendment or waiver is otherwise permitted by the Rule.
- Section 9. Termination of Undertaking. The Undertaking of the Board shall be terminated hereunder when the Board shall no longer have any legal liability for any obligation on or relating to the repayment of the Series 2011 Bonds. The Board shall give notice to the MSRB in a timely manner and in Prescribed Form if this Section is applicable.
- Section 10. Dissemination Agent. The Board has appointed WesBanco Bank, Inc., Wheeling, West Virginia, as Dissemination Agent in connection with the issuance of the Series 2011 Bonds to assist the Board in carrying out its obligations under this Agreement. The Board may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent.
- Section 11. Additional Information. Nothing in this Agreement shall be deemed to prevent the Board from disseminating any other information, using the means of dissemination set forth in this Agreement or any other means of communication, or including any other information in any Annual Financial Information Disclosure or notice of occurrence of a Material Event, in addition to that which is required by this Agreement. If the Board chooses to include any information from any document or notice of occurrence of a Material Event in addition to that which is specifically required by this Agreement, the Board shall not have any obligation under this Agreement to update such information or include it in any future disclosure or notice of the occurrence of a Material Event.
- Section 12. Beneficiaries. This Agreement has been executed in order to assist the Participating Underwriters in complying with the Rule; however, this Agreement shall inure solely to the benefit of the Board, the Dissemination Agent and the Bondholders of the Series 2011 Bonds, and shall create no rights in any other person or entity.
- Section 13. Recordkeeping. The Board shall maintain records of all Annual Financial Information Disclosure and Material Events Disclosure, including the content of such disclosure, the names of the entities with whom such disclosure was filed and the date of filing such disclosure.

Section 14. Past Compliance. The Board represents that it has complied with the requirements of each continuing disclosure undertaking entered into by it pursuant to the Rule in connection with previous financings to which the Rule was applicable.

Section 15. Governing Law. This Agreement shall be governed by the laws of the State.

Dated: March 10, 2011.

THE BC	OARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA)
By:	
Title:	President
WESBA	NCO BANK, INC.
By:	
Title:	

EXHIBIT I

ANNUAL FINANCIAL INFORMATION AND TIMING AND AUDITED FINANCIAL STATEMENTS

"Annual Financial Information" means financial information and operating data exclusive of Audited Financial Statements of the type appearing in the Final Official Statement or incorporated by reference in the Final Official Statement.

All or a portion of the Annual Financial Information and the Audited Financial Statements as set forth below may be included by reference to other documents which have been submitted to the MSRB or filed with the Commission. The Board shall clearly identify each such item of information included by reference.

Annual Financial Information will be provided to the MSRB within 270 days after the last day of the Board's fiscal year. Audited Financial Statements as described below should be filed at the same time as the Annual Financial Information. If Audited Financial Statements are not available within such 270 days or when the Annual Financial Information is filed, unaudited financial statements shall be included, and Audited Financial Statements will be provided to the MSRB within 10 business days after availability to the Board.

Audited Financial Statements will be prepared in accordance with generally accepted accounting principles in the United States as in effect from time to time.

If any change is made to the Annual Financial Information as permitted by Section 4 of the Agreement, including for this purpose a change made to the fiscal year-end of the Board, the Board will disseminate a notice to the MSRB of such change in Prescribed Form as required by such Section 4.

EXHIBIT II

EVENTS WITH RESPECT TO THE SERIES 2011 BONDS FOR WHICH MATERIAL EVENTS DISCLOSURE IS REQUIRED

- 1. Principal and interest payment delinquencies
- 2. Nonpayment-related defaults, if material
- Unscheduled draws on debt service reserves reflecting financial difficulties
- 4. Unscheduled draws on credit enhancements reflecting financial difficulties
- 5. Substitution of credit or liquidity providers, or their failure to perform
- 6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security
- 7. Modifications to rights of security holders, if material
- 8. Bond calls, if material, and tender offers
- 9. Defeasances
- 10. Release, substitution or sale of property securing repayment of the securities, if material
- 11. Rating changes
- 12. Bankruptcy, insolvency, receivership or similar event of the Board*
- 13. The consummation of a merger, consolidation or acquisition involving the Board or the sale of all or substantially all of the assets of the Board, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material
- 14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

^{*} This event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Board in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Board, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Board.

EXHIBIT III

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Obligated Party:	The Board of Education of the County of Hancock (West Virginia)					
Name of Bond Issue:	\$37,000,000 Public School Bonds, Series 2011					
Date of Bond Issue:	March 10, 2011					
above-named Series 2011 Bo	I that the Board has not provided an Annual Financial Information with respect to the onds as required by Section 4 of the Continuing Disclosure Agreement dated rovided. The Board anticipates that the Annual Financial Information will be filed by					
<u> </u>						
Dated:						
WESBANCO	BANK, INC.					
Ву:						
Title:						

cc: [Board]



101 South Queen Street Martinsburg, West Virginia 25401 (304) 263-0836

7000 Hampton Center Morgantown, West Virginia 26505 (304) 285-2500

333 West Vine Street, Suite 1700 Lexington, Kentucky 40507-1639 (859) 252-2202



ATTORNEYS AT LAW

600 Quarrier Street Charleston, West Virginia 25301

Post Office Box 1386 Charleston, West Virginia 25325-1386 (304) 347-1100

www.bowlesrice.com

March 10, 2011

5th Floor, United Square 501 Avery Street Parkersburg, West Virginia 26101 (304) 485-8500

480 West Jubal Early Drive Suite 130 Winchester, Virginia 22601 (540) 723-8877

E-Mail Address: emcdevitt@bowlesrice.com

Edward D. McDevitt Telephone — (304) 347-1711 Facsimile — (304) 343-3058

Internal Revenue Service Center Ogden, Utah 84201

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
NO. 7007 2680 0000 6777 6654

Re: \$37,000,000 The Board of Education of Hancock County

[West Virginia] Public School Bonds, Series 2011

Ladies and Gentlemen:

Please find enclosed Form 8038-G, Information Return for Tax-Exempt Governmental Obligations, submitted in connection with the above-referenced bond transaction.

Also enclosed, please find a copy of said Form 8038-G which has been stamped "COPY" in the upper right-hand corner. It would be greatly appreciated if you would stamp said copy acknowledging the receipt of the subject Form 8038-G and indicate the date on which said Form 8038-G was received by your office. Please then return said copy to the undersigned in the enclosed self-addressed, postage prepaid, envelope.

If you have any questions or comments regarding the foregoing, please contact the undersigned at your convenience. Thank you for your cooperation.

Very truly yours,

Edward D. McDevitt

EMD/vam Enclosures

(Rev. May 2010)

Information Return for Tax-Exempt Governmental Obligations

➤ Under Internal Revenue Code section 149(e)

► See separate instructions.

Caution: If the issue price is under \$100,000, use Form 8038-GC.

OMB No. 1545-0720

Departr	nent of the Treasury Revenue Service		Caution: If the issue pa	rice is under \$100,0	00, use Form				
Par		Auth	nority				turn, check here 🕨 🗌		
1 is	suer's name						er identification number (EIN)		
Th	ne Board of 1	Educ	ation of the County	of Hancock	[WV]		000325		
3 1	Number and street (or P.O. box if mail is not delivered to street address) Room/suite 4 Report number (For IRS Use Only)								
	104 North Court Street								
	ity, town, or post office					6 Date of issue			
			est Virginia 2604	7		March 1	.0, 2011		
	lame of issue	<u>., ,,</u>	000 1218			8 CUSIP numbe	r		
		Ron	ds, Series 2011			410090			
<u> </u>	lame and title of officer	of the i	ssuer or other person whom the IRS	may call for more info	rmation		mber of officer or other person		
J.T.	seph Campin	elli	, III, Treasurer			(304)	564-3411		
Par		legue	(enter the issue price) S	See instructions a	nd attach so	chedule			
							11 37,327,537.45		
11					• • • • •	- ' '	12		
12	Health and hospit						13		
13	•					[14		
14							15		
15			sewage bonds)				16		
16	Housing						17		
17							18		
18	Other. Describe	<u> </u>		<u> </u>		<u> </u>			
19	If obligations are	TANs	or RANs, check only box 19	a					
	If obligations are	BANs							
20	If obligations are	in the	form of a lease or installmen	nt sale, check but					
Da	t III Descript	tion o	f Obligations. Complete	for the entire iss	ue for whi	ich this form is be	ing filed.		
Fel	Descript	lion c		(c) Stated rede		(d) Weighted	(e) Yield		
	(a) Final maturity di	ate	(b) Issue price	price at mai	urity	average maturity			
21	5/1/2036		\$ 37,327,537.45	\$ 37,000,00	0.00	15.3094 years	4.2506 %		
	t V Uses of	Proc	eeds of Bond Issue (incl	uding underwr	iters' disc	ount)			
	Proceeds used for						22 -0-		
22	t princ of on	ul acci	oue (enter amount from line 2	21 column (b))			23 37,327,537.45		
23	(t) Letter verdensitions! discount\ 24 3 7 0 3 3 3 0								
24	4 Proceeds used for bond issuance costs (including underwriters discounty :								
25	26 -0-								
26	Discount word to currently refund prior issues								
27	Proceeds used to advance refund prior issues								
28	Total (add lines 24 through 28)								
	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here) 30 30, 929, 0Ψ7.49								
	rt V Descrip	tion c	of Refunded Bonds (Con	plete this part	only for r	efunding bonds.))		
	Descrip	ine ::::	ighted guerrae meturity of t	he hands to be a	urrently refu	ınded	N/A years		
31	Enter the remaining weighted average maturity of the bonds to be currently refunded N/A years N/A years								
32	11/21								
33 34									
34	Litter the date(s)	nie 16	work Reduction Act Notice	coo conarato i	estructions	Cat. No. 63773S	Form 8038-G (Rev. 5-2010)		
For	Privacy Act and	raper	MOLK DEGRESSON WELLINGING	, see separate ii			-		

		-						•	raye 🕰	
Par	t VI	Miscellaneous					*****			
35	Enter t	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5) 35								
36a										
b	Enter t	he final maturity date	of the GIC ▶							
37	Pooled financings: a Proceeds of this issue that are to be used to make loans to other governmental units									
b	If this	issue is a loan made	from the proceeds of a	nother tax-exe	mpt issue, che	eck box ▶ 🔲 a				
38 39 40	If the is	ssuer has elected to p ssuer has identified a	the issue under section bay a penalty in lieu of all hedge, check box	rbitrage rebate	check box .			•	•	
and	nature Isent	to process this return, to	correct, and complete. I further of the person that I have authorized	declare that I conse	nt to the IRS's disc	Suzan St	return inform	nation, as necessary	essary	
Paid Pron	-	Preparer's signature	le Dugit	Date	Date 3/10/11	Check if self-employed		SSN or PTIN		
Preparer Use Only		Firm's name (or yours if self-employed), address, and ZIP code Bowles Rice McDavid Graff & Love Phone no.						: 0394186 (304) 347-1100		
*****			LLP 600 Quarrier St Charleston, Wes		a 25301			38-G (Rev. 5		

CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (the "Disclosure Agreement") is executed and delivered by THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (the "Board"), and WesBanco Bank, Inc., Wheeling, West Virginia (the "Dissemination Agent"), in connection with the issuance of \$37,000,000, The Board of Education of the County of Hancock (West Virginia), Public School Bonds, Series 2011 (the "Series 2011 Bonds");

In connection with the foregoing, and in consideration thereof, the Board and the Dissemination Agent covenant and agree as follows:

- Section 1. Purpose of this Agree ment. This Agreement is executed and delivered by the Board as of the date set forth below, for the benefit of the holders and owners (the "Bondholders") of the Series 2011 Bonds and in order to assist the Participating Underwriters (as defined below) in complying with the requirements of the Rule (as defined below). The Board represents that it will be the only obligated person (as defined in the Rule) with respect to the Series 2011 Bonds at the time the Series 2011 Bonds are delivered to the Participating Underwriters and that no other person is expected to become an obligated person at any time after the issuance of the Series 2011 Bonds.
- Section 2. Definitions. The terms set forth below shall have the following meanings in this Agreement, unless the context clearly otherwise requires.
- "Annual Financial Information" means the financial information and operating data described in Exhibit I.
- "Annual Financial Information Disclosure" means the dissemination of disclosure concerning Annual Financial Information and the dissemination of the Audited Financial Statements as set forth in Section 4.
- "Audited Financial Statements" means the audited consolidated financial statements of the Board, prepared pursuant to the standards and as described in Exhibit I.
 - "Commission" means the U.S. Securities and Exchange Commission.
- "Dissemination Agent" means any agent designated as such in writing by the Board and which has filed with the Board a written acceptance of such designation, and such agent's successors and assigns.
- "EMMA" means the Electronic Municipal Market Access facility for municipal securities disclosure of the MSRB.
 - "Exchange Act" means the Securities Exchange Act of 1934, as amended.
- "Material Event" means the occurrence of any of the events with respect to the Series 2011 Bonds set forth in Exhibit II.
- "Material Events Disclosure" means dissemination of a notice of a Material Event as set forth in Section 5.
 - "MSRB" means the Municipal Securities Rulemaking Board.
- "Participating Underwriters" means each broker, dealer or municipal securities dealer acting as an Underwriter in any primary offering of the Series 2011 Bonds.

"Prescribed Form" means, with regard to the filing of Annual Financial Information, Audited Financial Statements and notices of Material Events with the MSRB at www.emma.msrb.org (or such other address or addresses as the MSRB may from time to time specify), such electronic format, accompanied by such identifying information, as shall have been prescribed by the MSRB and which shall be in effect on the date of filing of such information.

"Rule" means Rule 15c2-12 adopted by the Commission under the Exchange Act, as the same may be amended from time to time.

"State" means the State of West Virginia.

"Undertaking" means the obligations of the Board pursuant to Sections 4 and 5.

Section 3. CUSIP Number/Final Official Statement. The CUSIP Number of the final maturity of the Series 2011 Bonds is 410090DC5. The final Official Statement relating to the Series 2011 Bonds is dated February 24, 2011 (the "Final Official Statement").

Section 4. Annual Financial Information Disclosure. Subject to Section 9 of this Agreement, the Board hereby covenants that it will disseminate the Annual Financial Information and the Audited Financial Statements (in the form and by the dates set forth below and in Exhibit I). The Board may deliver such Annual Financial Information and the Audited Financial Statements to the MSRB within 270 days of the completion of the Board's fiscal year. However, if the Audited Financial Statements are not available at that time, they will be provided within 10 business days of receipt by the Board.

The Board is required to deliver such information in Prescribed Form and by such time so that such entities receive the information by the dates specified.

If any part of the Annual Financial Information can no longer be generated because the operations to which it is related have been materially changed or discontinued, the Board will disseminate a statement to such effect as part of its Annual Financial Information for the year in which such event first occurs.

If any amendment is made to this Agreement, the Annual Financial Information for the year in which such amendment is made (or in any notice or supplement provided to the MSRB) shall contain a narrative description of the reasons for such amendment and its impact on the type of information being provided.

- Section 5. Material Events Disclosure. Subject to Section 9 of this Agreement, the Board hereby covenants that it will disseminate in a timely manner, not in excess of 10 business days after the occurrence of the event, Material Events Disclosure to the MSRB in Prescribed Form. Notwithstanding the foregoing, notice of optional or unscheduled redemption of any Series 2011 Bonds or defeasance of any Series 2011 Bonds need not be given under this Agreement any earlier than the notice (if any) of such redemption or defeasance is given to the owners of the Series 2011 Bonds pursuant to the Indenture. From and after the Effective Date, the Board is required to deliver such Material Events Disclosure in the same manner as provided by Section 4 of this Agreement.
- Section 6. Duty To Up date EMMA/MSRB. The Board shall determine, in the manner it deems appropriate, whether there has occurred a change in the MSRB's e-mail address or filing procedures and requirements under EMMA each time it is required to file information with the MSRB.
- Section 7. Consequences of Failure of the Board to Provide Information. The Board shall give notice in a timely manner, not in excess of 10 business days after the occurrence of the event, to the MSRB in Prescribed Form of any failure to provide Annual Financial Information Disclosure when the same is due hereunder.

In the event of a failure of the Board to comply with any provision of this Agreement, the Bondholder of any Bond may seek specific performance by court order to cause the Board to comply with its obligations under this Agreement. A default under this Agreement shall not be deemed an Event of Default under the Series 2011 Bonds or any agreement related thereto, and the sole remedy under this Agreement in the event of any failure of the Board to comply with this Agreement shall be an action to compel performance.

- Section 8. A mendments; Waiver. Notwithstanding any other provision of this Agreement, the Board may amend this Agreement, and any provision of this Agreement may be waived, if:
 - (i) The amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the Board or type of business conducted;
 - (ii) This Agreement, as amended, or the provision, as waived, would have complied with the requirements of the Rule at the time of the primary offering, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
 - (iii) The amendment or waiver does not materially impair the interests of the Bondholders of the Series 2011 Bonds, as determined either by parties unaffiliated with the Board or by an approving vote of the Bondholders of the Series 2011 Bonds holding a majority of the aggregate principal amount of the Series 2011 Bonds (excluding Series 2011 Bonds held by or on behalf of the Board or its affiliates) pursuant to the terms of the Bond Order at the time of the amendment; or
 - (iv) The amendment or waiver is otherwise permitted by the Rule.
- Section 9. Termination of Undertaking. The Undertaking of the Board shall be terminated hereunder when the Board shall no longer have any legal liability for any obligation on or relating to the repayment of the Series 2011 Bonds. The Board shall give notice to the MSRB in a timely manner and in Prescribed Form if this Section is applicable.
- Section 10. Dissemination Agent. The Board has appointed WesBanco Bank, Inc., Wheeling, West Virginia, as Dissemination Agent in connection with the issuance of the Series 2011 Bonds to assist the Board in carrying out its obligations under this Agreement. The Board may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent.
- Section 11. Additional Information. Nothing in this Agreement shall be deemed to prevent the Board from disseminating any other information, using the means of dissemination set forth in this Agreement or any other means of communication, or including any other information in any Annual Financial Information Disclosure or notice of occurrence of a Material Event, in addition to that which is required by this Agreement. If the Board chooses to include any information from any document or notice of occurrence of a Material Event in addition to that which is specifically required by this Agreement, the Board shall not have any obligation under this Agreement to update such information or include it in any future disclosure or notice of the occurrence of a Material Event.
- Section 12. Beneficiari es. This Agreement has been executed in order to assist the Participating Underwriters in complying with the Rule; however, this Agreement shall inure solely to the benefit of the Board, the Dissemination Agent and the Bondholders of the Series 2011 Bonds, and shall create no rights in any other person or entity.
- Section 13. Recordkeeping. The Board shall maintain records of all Annual Financial Information Disclosure and Material Events Disclosure, including the content of such disclosure, the names of the entities with whom such disclosure was filed and the date of filing such disclosure.

Section 14. Past Compliance. The Board represents that it has complied with the requirements of each continuing disclosure undertaking entered into by it pursuant to the Rule in connection with previous financings to which the Rule was applicable.

Section 15. Governing Law. This Agreement shall be governed by the laws of the State.

Dated: March 10, 2011

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK (WEST VIRGINIA)

By:

Gerald Durante

Title: President

WESBANCO BANK, INC.

EXHIBIT I

ANNUAL FINANCIAL INFORMATION AND TIMING AND AUDITED FINANCIAL STATEMENTS

"Annual Financial Information" means financial information and operating data exclusive of Audited Financial Statements of the type appearing in the Final Official Statement or incorporated by reference in the Final Official Statement.

All or a portion of the Annual Financial Information and the Audited Financial Statements as set forth below may be included by reference to other documents which have been submitted to the MSRB or filed with the Commission. The Board shall clearly identify each such item of information included by reference.

Annual Financial Information will be provided to the MSRB within 270 days after the last day of the Board's fiscal year. Audited Financial Statements as described below should be filed at the same time as the Annual Financial Information. If Audited Financial Statements are not available within such 270 days or when the Annual Financial Information is filed, unaudited financial statements shall be included, and Audited Financial Statements will be provided to the MSRB within 10 business days after availability to the Board.

Audited Financial Statements will be prepared in accordance with generally accepted accounting principles in the United States as in effect from time to time.

If any change is made to the Annual Financial Information as permitted by Section 4 of the Agreement, including for this purpose a change made to the fiscal year-end of the Board, the Board will disseminate a notice to the MSRB of such change in Prescribed Form as required by such Section 4.

EXHIBIT II

EVENTS WITH RESPECT TO THE SERIES 2011 BONDS FOR WHICH MATERIAL EVENTS DISCLOSURE IS REQUIRED

- 1. Principal and interest payment delinquencies
- 2. Nonpayment-related defaults, if material
- 3. Unscheduled draws on debt service reserves reflecting financial difficulties
- 4. Unscheduled draws on credit enhancements reflecting financial difficulties
- 5. Substitution of credit or liquidity providers, or their failure to perform
- 6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security
- 7. Modifications to rights of security holders, if material
- 8. Bond calls, if material, and tender offers
- 9. Defeasances
- 10. Release, substitution or sale of property securing repayment of the securities, if material
- 11. Rating changes
- 12. Bankruptcy, insolvency, receivership or similar event of the Board*
- 13. The consummation of a merger, consolidation or acquisition involving the Board or the sale of all or substantially all of the assets of the Board, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material
- 14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

^{*} This event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Board in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Board, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Board.

EXHIBIT III

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Obligated Party:	The Board of Education of the County of Hancock (West Virginia)					
Name of Bond Issue:	\$37,000,000 Public School Bonds, Series 2011					
Date of Bond Issue:	March 10, 2011					
the above-named Series 2011	N that the Board has not provided an Annual Financial Information with respect to Bonds as required by Section 4 of the Continuing Disclosure Agreement date ed. The Board anticipates that the Annual Financial Information will be filed be					
Dated:						
WESBANCO	BANK, INC.					
Ву:	·					
Title:						
ce: [Board]						

Eleanor Straight Hancock County Clerk

P.G. Box 367 New Cumberland, WV 26047



304-564-3311 Æxt. 266 Max 304-564-5941

estraight@hancockcountywb.org

September 23, 2010

Hancock Courier Printing P.O. Box 547 New Cumberland, WV 26047

Please publish the enclosed General Election Ballot along with the two levies, at not less than 65% of actual size, and not larger than actual size. **Publish on one page.** Publish as a Class I-0 legal ad on the following dates:

October 7, 2010 and October 28, 2010

Order of publication – General Election Ballot School Excess Levy Library Excess Levy

Please place the ballot certification at the very end.

Thank you,

Eleanor Straight, Hancock County Clerk

Kleanor Straight Hancock County Clerk

P.G. Box 367 New Cumberland, WI 26047



304-564-3311 Ext. 266 Jax 304-564-5941

estraight@hancockcountywb.org

September 23, 2010

Herald Star Weirton Daily Times 401 Herald Square Steubenville, Ohio 43952

Please publish the enclosed General Election Ballot along with the two levies, in the Weirton Daily Times, at not less than 65% of actual size, and not larger than actual size. **Publish on one page.** Publish as a Class I-0 legal ad on the following dates:

October 11, 2010 and November 1, 2010

Order of publication – General Election Ballot School Excess Levy Library Excess Levy

Please place the ballot certification at the very end.

Thank you,

Eleanor Straight, Hancock County Clerk

Cleanor Straight Hancock County Clerk

New Cumberland, WH 26047



304-564-3311 近xt. 266 Hax 304-564-5941

September 24, 2010

Herald-Star Weirton Daily Times 401 Herald Square Steubenville, Oho 43952

Please publish the enclosed "Order and Notice of Special Election Levies" in the Weirton Daily Times, on the following dates:

October 22, 2010

and

Eleanor Thaight

October 29, 2010

Please publish in the following order:

(1st) Board of Education (2nd) Libraries

Thank you,

Eleanor Straight

Hancock County Clerk

Kleanor Straight Hancock County Clerk

P.G. Box 367 New Cumberland, WI 26047



estraight@hancockcountywb.org

September 24, 2010

Hancock Courier Printing P.O. Box 547 New Cumberland, WV 26047

Please publish the enclosed "Order and Notice of Special Election Levies" on the following dates:

October 21, 2010

and

Eleanor Thaight

October 28, 2010

Please publish in the following order:

(1st) Board of Education

(2nd) Libraries

Thank you,

Eleanor Straight

Hancock County Clerk

Advertising Invoice

Herald Star Legals+

401 Herald Square

Steubenville, OH 43952 (740) 283-4711

HANCOCK CTY. CLERK P.O. BOX 367

NEW CUMBERLAND, WV

26047

09/29/2010 11:03:14AM

No: 162461

Phone: 304 564-3311

Ad No 162461	Customer No: L00192	Start D 10-22-20		op Date -29-2010	Catego: Special S		—	ification: a. Legals
Order No	Rate: WL	Lines: 834	Words: 3881	Inches: 83.42		Cost 1000.30	Payments .00	Balance 1000.30
Publications Runs WV Legals 2		Solicitor: 26	Origin: 73	Sales Rep: 0	Credit Card	Credit C	ard Number	Card Expire
		AN OI OF EI COUN DIREC	IC NOTIC RDER OF DUCATIO ITY OF H CTING AI E HELD F	THE BOAF IN OF THE IANCOCK IN ELECTION OR THE SUBMITTIN	N			

Bonds and the interest thereon at the maturities thereof. The proceeds of sale of the Bonds will not be used except as herein specified; and, provided, further, the Board shall have the authority to proceeds of sale of the Bonds will not be used except as herein specified; and, provided, further, the Board shall have the authority to pay matured interest and the principal amount of any matured Bonds from Bond proceeds until levy money is available to pay the same and thereafter, the Bond proceeds expended for this purpose shall be reimbursed from levy money collect.

lect.
7. The question of incurring said debt and issuing said Bonds and all

and Asbestos Abatement.
LOCATION
Existing A. T. Allison Elementary
School, Chester, West Virginia
ESTIMATED COST.
Bond Funds — \$5,269,112
PROJECT
New Manchester Elementary
Construct Physical Education and 3
Pre-K Classrooms

Pre-K Classrooms
Renovations including without Limitation: Site Drainage, Landscaping,
Bollards, Play Yards, Paving &
Parking, Windows & Curtain Wall,
Exterior Doors, Joint Sealing,
Downspouts, Ceilings, Flooring,
Elevator, HVAC, Lights, Security
Cameras, Restrooms, Electrical,
Lighting, Data Wiring, FireSprinklering and Asbestos Abatement.

ment.
LOCATION
Existing New Manchester Elementary School, New Cumberland, tary School, New Cumb West Virginia ESTIMATED COST Bonds Funds — \$6,189,232

Bonds Funds — \$5,189,292
PROJECT
Oak Glen Middle School
Construct Wrestling Building
LOCATION
Existing Oak Glen Middle, New

closed; former students to be served by New Weirton Elementary School. Weirton Heights Elementary School to be closed; former students to be served by New Weirton Elementary School. The above amounts are made up of the aggregate principal amount of the Bond issue in the sum of THIRTY-SEVEN MILLION DOLLARS (\$37,000,000,000). The toregoing amounts include the costs of acquiring necessary lands, sites and rights-of-way, if any, engineering and architectural costs, construction including but not limited to the cost of using County maintenance personnel, the costs and estimated costs of the issuance of the Bonds, interest during the construction of the Projects and such other costs, fees, and expenses as may be necessary and such other costs, lees, and expenses as may be necessary and/or properly incurred in carrying out the foregoing projects. All Handicapped and E.S.S.I.A. Title 1 expenditures are subject to written approval by the West Virginia Department of Education, if for any reason any one or more of the above enumerated projects cannot Department of Education. If for any reason any one of more of the above enumerated projects cannot be constructed, carried out, or completed, the amount above set out for any such project and any sums remaining unused upon completion of any of the foregoing projects may be allocated by the Board in its direction to and expended for any one or more of the remaining projects set out above, as provided by Section 6(a), Article 1, Chapter 13, of the Code. In the event the Board shall obtain additional money by grant or otherwise from the state or federal, government, or from any other source, for use in the acquisition, construction, renovation, Improvement, furnishing, and/or equipping of the above enumerated projects, such additional money, may be used either in substitution for or in addition to the proceeds of the sale of the Bonds proposed hereby, as may be determined by the Board and the granting body or agency, unless otherwise set forth in this Order.

11. If the voters of the School District approve the incurring of sald debt and the issuance of said Bonds, the Board will lay annually upon the assessed valuation of all the taxable property within the School District approve the incurring of sald debt and the issuance of said Bonds, the Board will lay annually upon the assessed valuation of all the taxable property within the School District accurses semilaringly and the principal of the Bonds at maturity, for which purposes a levy upon each \$100 valuation, based upon the last assessment of such property for State and Courry purposes, will be required as follows: Upon Class I Property

State and County purpose required as follows:
Upon Class I Property
Approximately — — 11.22 cents
Upon Class II Property
Upon Class II Property — 22.44 pproximately ents Upon Class III Property

Approximately -Upon Class IV Property Approximately

12. In the laying of said levy, the lassessment levy authorized to be laid by said Board by the Constitution of West Virginia and the statutes enacted pursuant thereto shall not be exceeded; provided, however, that said rates hereinabove set forth may, whenever necessary, be exceeded in making the annual levy for interest and principal of said Bonds within statutory and constitutional limitations;

this Board.

2. Notice of this question shall be given by publication of this Order at least once each week for two (2) successive weeks before the election and within tourteen (14) consecutive days next preceding the election in the Hancöck County Courier and Weirton Daily Times which are newspapers of general circulation in the School District.

3. The ballot shall be in the form that follows:

that follows:

OFFICIAL BALLOT HANCOCK COUNTY BOARD OF EDUCATION SCHOOL BOND ELECTION NOVEMBER 2, 2010

NOVEMBER 2, 2010

Shall the Board of Education of the County of Hancock incur debt and issue bonds in the amount of \$37,000,000, maturities on such bonds to run not more than twenty-five and one-half (25 1/2) years from the date of such bonds, with interest not exceeding the rate of six and 75/100 percent (6.75%) per annum, payable semi-annually. of six and 75/100 percent (6.75%) per annum, payable semi-annually, for the purpose of acquisition of land, constructing, enlarging, extending, reconstruction, improving, furnishing and/or equipping the school buildings, facilities and structures in the Hancock County Public School District to provide adequate, safe and convenient facilities for the School District, namely:

namely:
PROJECT
A.T. Allison Elementary
Construct Physical Education and 3
Pre-K Classrooms. Without Liminerovations Including Landresping.

Pre-K Classrooms.
Renovations including without Limitation: Site Drainage, Landscaping, Bollards, Play Yards, Paving & Parking, Windows, Exterior Doors, Joint Sealing, Downspouts, Cellings, Flooring, HVAC, Lights, Security Cameras, Restrooms, Electrical, Data Wing, Fire Sprinklering and Asbestos Abatement.
LOCATION
Existing A.T. Allison Elementary School, Chester, West Virginia
ESTIMATED COST
Bond Funds — \$5,2769,112
PROJECT
New Manchester Elementary
Construct Physical Education and 3 Pre-K Classrooms
Renovations including without Limitation: Site Drainage, Landscaping, Bollards, Play Yards, Paving & Parking, Windows & Curtain Walt, Exterior Doors, Joint Sealing, Downspouts, Ceillings, Flooring, Elevator, HVAC, Lights, Security Cameras, Restrooms, Electrical, Lighting, Data Wiring, Fire Sprinklering and Asbestos Abatement.
LOCATION

ment. <u>Location</u> Existing New Manchester Elementary School, New Cumberland,

Existing New Manchester Elementary School, New Cumberland, West Virginia ESTIMATED COST, 189,232 PROJECT
Oak Glen Middle School Construct Wrestling Building LOCATION
Existing Oak Glen Middle, New Cumberland, West Virginia ESTIMATED COST
Bond Funds - \$784,675
PROJECT
Oak Glen High School
Renovations including without limitation: Science Department and Restrooms.

Renovations including willing tation: Science Department and Restrooms.
Complete the Field of Dreams, including pawed & lighted parking lots, paved & lighted access drives, lighted stairs to OGHS, concession stand, restrooms and maintenance building; in addition to basebally softball field bleachers, press box PA systems and scoreboards. New Football/Socoer Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Press box, Field Lighting, Score-

not be observed with respect to the closure or consolidation of the fol-lowing schools:

lowing schools:
Broadview Elementary School to be closed; former students to be served by New Weirton Elementary School.
Liberty Elementary School to be closed; former students to be served by New Weirton Elementary School.
Weirton Heights Elementary School to be closed; former students to be served by New Weirton Elementary School.

Weirton Heights Elementary School.
The above amounts are made up of the aggregate principal amount of the Bond issue in the sum of THRTY-SEVEN MILLION
DOLLARS (\$37,000,000,000).
The foregoing amounts include the costs of acquiring necessary lands, sites and rights-of-way, If any, engineering and architectural costs, construction-including, but not limited to the cost of using County maintenance personnel, the costs and estimated costs of the issuance of the Bonds, interest during the construction of the Projects, and such other costs, fees, and expenses as may be necessary and/or properly incurred in carrying out the foregoing projects. All Handicapped and E.S.S.I.A. Title 1 expenditures are subject to written approval by the West Virginia Department of Education: If for any reason any one or more of the above enumerated projects cannot be constructed, carried out, or completed, the amount above set out for any such project and any sums remaining usused upon completion of any of the foregoing projects may be allocated by the Board in its direction to and expended for any one or more of the remaining projects set out above, as provided by, Section 6(a), Articet, Chapter 13, of the Code, of West Virginia, 1931, as amended. The amount of the Bond Issue reflects the School District having received one or more grants from the West Virginia School Building Authority and/or other sources in an amount of Nineteen Million Dollars (\$19,000,000) for the use in the acquisition of land, the constructing, furnishing, and/or equipping of a new Weirton Elementary School, the receipt of which sum is a condition precedent to the state or federal government, or from any agency of either, or from any

or agency.
YES (FOR THE BOND ISSUE)
NO (AGAINST THE BOND

NO (AGAINST THE BOND ISSUE)
NOTICE TO VOTERS:
TO VOTE IN FAVOR OF THE PROPOSITION (FOR THE BOND ISSUE) SUBMITTED ON THIS BALLOT, MARK AN "X" IN THE BOX NEXT TO "YES"

TO VOTE AGAINST THE PROPO-SITION (AGAINST THE BOND ISSUE), MARK AN "X" IN THE BOX TO "NO".

10-22, 29, 2010 Adv.

reimbursed from levy money; coincipation in lect.

7. The question of incurring said other questions properly, connected therewith shall be submitted to the voters of the School District at the general election to be held on the 2nd day of November, 2010, and the commissioners and clerks for holding said election, at each of the legally established voting precincts in Hancock County, shall be those commissioners and clerks designated, appointed and certified by the County Commission of Hancock County West Virginia in connection with said general election.

8. The Bonds shall bear interest at a rate or axes not exceeding the rate of six and 75/100 percent (6.75%) per annum, payable seminanually, but it is hoped that the best bid for the Bonds will provide a lower interest rate (which might result in somewhat lower levy rates needed to pay the Bonds and the interest thereon); and the Bonds shall be payable for a maximum term of twenty-five and one-half (25 1/2) years from the date thereof.

9. The Bonds shall be issued only in book entry or registered form as to principal and interest in complimence with the United States Internal revenue Code Sections 103 and 149 (28 USCA 103 and 149), as a amended, and as authorized by the West Virginia of 1931, as amended, and as authorized by the West Virginia public Obligations Registration Act, Article 2F, Chapter 13 of the Code of West Virginia of 1931, as amended, and as authorized by the West Virginia public Obligations Registration Act, Article 2F, Chapter 13 of the Code of West Virginia public Obligations Registration Act, Article 2F, Chapter 13 of the Code of West Virginia Public Obligations Registration Act, Article 2F, Chapter 13 of the Code of West Virginia Public Obligations Registration Act, Article 2F, Chapter 13 of the Code of West Virginia Public Obligations Registration Act, Article 2F, Chapter 13 of the Code of West Virginia Public Obligations Registration Act, Article 2F, Chapter 13 of the Code of West Virginia Public Obligations Registration Act, Article 2

PUBLIC NOTICE
NO ROBER OF THE BOARD OF
EDUCATION OF THE COUNTY
OF HANCOCK DIRECTING AN
ELECTION TO BE HELD FOR
THE PURPOSE OF SUBMITTING
TO THE VOTERS OF HANCOCK
COUNTY SCHOOL DISTRICT
ALL QUESTIONS CONNECTED
WITH THE CONTRACTING OF A
DEBT AND THE ISSUING OF
BONDS IN THE PRINCIPAL
AMOUNT NOT TO EXCEED
THIRTY-SEVEN MILLION DOLLARS (\$37,000,000)
TO THE VOTERS OF HANCOCK
COUNTY, WEST VIRGINIA
That, at a regular meeting of the

COUNTY. WEST VIRIGINIA
That, at a regular meeting of the
Board of Education of Hancock
County, West Virginia, held on July
12, 2010, 'the following Order was
made and entered on record, to-wit:
BE IT ORDERED BY THE BOARD
OF EDUCATION OF THE COUNTY OF HANCOCK: It appears to
the Board of Education of the
County of Hancock (hereinafter
called "the Board") from the experience of the Board in operating
the schools in the Hancock County
School District: (hereinafter called
the "School District") and after
carefully sturtying and considering.

reports, recommendations and the needs of the School District regarding the desire for an improved educational program and based upon this information, the Board does accordingly find that:

1. There are now and have been for several years in the School District deficiencies in the school building facilities presently existing which generally result in insufficient space, overprowding, and a lack of efficiency. To correct these deficiencies, there is a need to enlarge, equip, extend, furnish, improve, construct and renovate certain school facilities in all grade and age levels, as soon as possible, in the manner hereinafter stated.

2. The funds derived from current levies which this Board is now authorized by law to lay, after provid-ling for administration of

2. The funds derived from current levies which: this Board is now authorized by law to lay, after providing for administration of the affairs of the Board and meeting the current expenses thereof required by law, are insufficient to finance the projects required by a comprehensive building program and therefore, Bonds should be issued to provide funds for such projects.

sue to provide further to some state jects. 3. Tr

amount of Nineteen Million Dollars (\$19,000,000).

4. The Valuation of the taxable property in the School District, as shown by the last assessment thereof for State and County taxation purposes, is \$950,600,249 and valuation of each class of property within the School District is as follows:

coordingly, additional Bonds in the mount of \$37,000,000 being lessian five percent (5%) of the value of such taxable property as ascerianed by the last assessments hereof for State and County taxes any be issued and sold without lotating any constitutional or statuty provision.

Bonds in the denomination of \$5,000.00 each, or integral multises thereof, aggregating up to \$7,000.000 should be issued and pid, the Proceeds of which shall a used for the projects hereinafter scribed, provided, however, that the event that any part of the hond proceeds should not be needfor completion of the projects, ch unneeded part shall deposited the Municipal Bond Commission of West Virginia to be used they for the purchase of any sinds of this issue outstanding at it more than the par value thereof is accrued interest to date of purase or for the payment of such less and the such as the projects of is accrued interest to date of pur-ase or for the payment of such

Cumpenana, west virginia ESTIMATED COST Bond Funds - \$784 eze and Funds - \$784.675 PROJECT

Oak Glen High School
Renovations including without limitation: Science Department and

ration: Science Department and Restrooms.

Complete the Field of Dreams, including paved & lighted parking lots, pawed & lighted parking lots, pawed & lighted access drives, lighted stairs to OGHS, concession stand, restrooms and maintenance building; in addition to baseball/softball field bleachers, Press box PA systems and scoreboards. New Pootball/Soccer Stadium including Artificial Turf Field, Bleacher Seating for 3,000, Restrooms, Game Locker Rooms, Concessions, Press box, Field Lighting, Scoreboard PA/Sound System, Repair/Resurfacing of Existing, Repair/Resurfacing of Existing Palane Track, Field Fencing and additional campus parking for games. LOCATION

Existing Oak Glen High School, New Cumberland, West Virginia ESIIMATED COST
Bonds Fund - \$7,768,437

PROJECT
Weir Middle School
Renovations including without Limitation: Restrooms, Disabled Ac-

Renovations including without Limitation: Restrooms, Disabled Access Behind MS Auditorium, and MS Auditorium Seating Replacement

MS Average Market Middle School, Weir-bent Middle School, Weir-ton, West Virginia ESTIMATED COST Bond Funds - \$669,669

Bond Funds - \$669,669
PROJECT
Weir High School
Renovations including without Limitation: Exterior Concrete Stairs & Walks, Science Department, Restrooms and HS Auditorium Seating Replacement
New Frohall/Score Station

rooms and HS Auditorium Seating Replacement
New Football/Soccer Stadium including Artificial Turf Field, Bleachre Seating for 3,000, Festrooms,
Game Locker Rooms, Concessions, Press Box, Upgrading of Existing Field Lighting, Scoreboard,
PA/Sound System, Repair/ Resurfacing of Existing Flane Track,
Field Fencing and Additional
Campus Parking for Games.
LOCATION
Existing Welf High School, Weirton,
West Virginia
ESIMATED COST
Bond Funds — \$7,330,193
PROJECT

Bond Fungs — \$(1,500,100)
PROJECT
John D. Rockefeller, IV Career
Center
Renovations including without Limitation: Heating, Ventilating and Air

tation: Hearing, Venturating and City Conditioning LOCATION
Existing John D. Rockefeller IV Carreer Center, New Cumberland,

Career Center, New Cumberland,
West Virginia
ESTIMATED COST
Bond Funds—\$1,358,900
PROJECT
New Welrton Elementary School
Acquisition of land, Construction
and equipping of New 950-Student
Pre. K-4 Elementary School (includes demolition of Broadview, Liberty & Weitron Heights Existing
Elementary Schools).
LOCATION
New Weitron Elementary to be le-

New Weirton Elementary to be lo-cated in the 3400 block of Pennsyl-vania Avenue in Weirton, West Vir-

vania Avenue in Weirton, vvest virginia
ESTIMATED COST
SBA Grant - \$19,000,000
SBOA Frants - \$19,000,000
SBOA Frants - \$26,29,782
TOTAL PROPOSED BOND CALL:
PROJECT COSTS: \$56,000,000
THIRD PARTY FUNDS 19,000,000
TOTAL PROPOSED
BOND CALL: \$37,000,000
CLOSURES
In the event the Bond is approved by the voters and the Bonds are issued, the requirements of West Virginia Code Section 18-15-13a shall not be observed with respect to the closure or consolidation of the following schools: lowing schools:
Broadview Elementary School to

and that in the levy, conection and disbursement of taxes within constitutional and statutory limitations, this levy for interest and principal shall have preference over all other

disbursement of taxes within constitutional and statutory limitations, this levy for interest and principal shall have preference over all other taxes collected by said School District for any purpose whatsoever, except the payment of the interest and sinking fund requirements on any other bond issue or issues which lawfully have been authorized hereafter.

13. If the debt represented by this Bond issue shall be approved by the voters, such Bonds, together with all existing bonded indebtedness heretofore incurred under Section 1, Article X, of the Constitution, will not exceed in the aggregate five percent (5%) of the 1ax able property in the School District ascertained in accordance with Sections 8 and 10, Article X, of the Constitution of this State and will be payable from a direct annual tax levied and collected in each year on all taxable property in said School District, sufficient to pay the principal and interest maturing on said Bonds in each year, which maximum rates are provided for tax levies for school districts on the several classes of property in Section 1, Article X of the Constitution, but in the same proportions as such maximum rates are levied outside the limits fixed by Section 1, Article X of the Constitution, in the same proportions as such maximum rates are levied outside the limits fixed by Section 1, Article X of the Constitution, in the same proportions as such maximum rates are levied outside the limits fixed by Section 1, Article X of the Constitution, in the same proportions and the enabling legislation enacted by the Legislature of West Virginia, and Regular Session, 1951 amending and reenacting Sections 3 and 4, Article 1, Chapter 13, of the Code, evies hereinbefore provided will not violate any constitutional or statutory provisions of this State establishing maximum levies, said levies herein provided shall be levied and allocated each year for the purposes of dischatging the interest and principal of the Bonds to be authorized, and for such purposes shall be light and principa shall be levied and allocated each year for the purposes of discharging the interest and principal of the Bonds to be authorized, and for such purposes shall be laid separate and apart from all other levies made for all other purposes of the School District, and the Board does further find that after laying and allocating said special levies for payment of principal and interest requirements of said Bonds, there will be, out of the levies authorized by law and apportioned for current expenses, a sufficient to yauthorized by law which, when added to other income, will be sufficient to carry out the proper requisite functions of said Board and of said School District.

BE IT FURTHER ORDERED BY THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK AS FOLLOWS:

THE BOARD OF EDUCATION AS FOLLOWS:
After Careful study and due deliberation, the Board finds that available funds are insufficient for the payment of general current expenses and for correcting deficiencies in school building facilities. Wherefore, the Board orders the submission to the voters of Hancock County at the general election to be held on November 2, 2010, of the question of whether the Board should incur debt and issue Bonds in an amount not to exceed \$37,000,000 for the purposes set forth in this order.

1. The commissioners and clerks appointed and certified for the purpose of the election shall be the same commissioners and clerks designated, appointed and certified by the County Commission and as adopted by a supplemental order of

Doard, PASOURIU System, Repair Resurfacing of Existing 8-lane Track, Field Fencing and additional campus parking for games. LOCATION Existing Oak Gleri High School, New Cumberland, West Virginia ESTIMATED COST Bonds Fund - \$7,768,437 PROJECT

PROJECT
Weir Middle School

Weir Middle Scnool
Renovations Including without Limitation: Restrooms, Disabled Access Behind MS Auditorium, and MS Auditorium Seating Replace-

rooms and HS Auditorium Seating IIHI3WOS
Replacement
New Football/Soccer Stadium in 3N/H I
cluding Artificial Turf Field, Bleach
er Seating for 3,000, Restrooms,
Game Locker Rooms, Concessions, Press Box, Upgrading of Existing Field Lighting, Scoreboard,
PA/Sound System, Repair/ Resurfacing of Existing, 8-dane Track,
Field Fencing and Additional
Campus Parking for Games.

LOCATION
Existing Well High School Weiten

LOCATION
Existing Welr High School, Weirton,
West Virginia
ESTIMATED COST
Bond Funds — \$7,330,193

PROJECT
John D. Rockefeller, IV Career dW

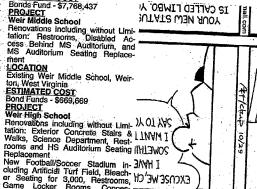
Renovations including without Limi-tation: Heating, Ventilating and Air

Benovations including wimour Limitation: Heating, Ventilating and Air Conditioning
LOCATION
Existing John D. Rockefeller IV Career Center, New Cumberland, West Virginia
ESTIMATED COST
Bond Funds—\$1,358,900
PROJECT
New Weirton Elementary School
Acquisition of land, Construction and equipping of New 950-Student
Pre K-4 Elementary School (Includes demolition of Broadview, Liberty & Weirton Heights Existing Elementary Schools).
LOCATION
New Weirton Elementary to be located in the 3400 block of Pennsylvania, Avenue in Weirton, West Virginia

vania Avenue in Weirton, West Virginia
ESTIMATED COST
SBA Grant - \$19,000,000
Bond Funds - \$7,629,782
Total - \$26,629,782
TOTAL PROPOSED BOND CALL:
PROJECT COSTS: \$56,000,000
TOTAL PROPOSED BOND CALL:
\$7,000,000
TOTAL PROPOSED
BOND CALL: \$37,000,000
If the voters of the School District

cents
Upon Class III Property
Upon Class IV Property Approximately 44.88

CLOSURES
In the event the Bond is approved by the voters and the Bonds are is-sued, the requirements of West Vir-ginia Code Section 18-15-13a shall







HOOLED! HAD ME HE EVEN



ORDER AND NOTICE OF SPECIAL ELECTION FOR ADDITIONAL SPECIAL EXCESS LEVY ON NOVEMBER 2, 2016 IN HANCOCK COUNTY, WEST VIRGINIA

TO THE VOTERS OF HANCOCK COUNTY, WEST VIRGINIA:

That at a regular meeting of the County Commission of Hancock County, held on the 15th day of July, 2010, as provided by taw, the following order was mide and entered on record, to-wit.

The County Commission of Hamcock County, West Virginia, being of the opinion and finding that the maximum levies for current expenses authorized by West Virginia Code Chapter 11, Article 8, as amended, will not provide sufficient funds for the payment of current expenses of the County Commission of Hancock County, including expenditures for the purpose hereinafter set forth, and is special election should be held during the regular general election on November 2, 2019 to increase such levies as authorized by West Virginia Code Chapter 11, Article 8, Section 16, as amended, it is hereby ORDERED:

- (1) That the purpose for which the additional funds are needed is to provide financial support for the public libraries. The Mary H. Weir Public Library, the Swaney Memorial Public Library, and the Lynn Murray Memorial Public Library, located in Hancock County, West Virginia, for the fiscal years beginning July 1, 2011, July 1, 2013 and July 1, 2014.
- (2) That the approximate amount (Annual Total) for said purpose is as follows:

Projected Revenue

Projected Tax Collection

\$215,054.00

\$200,000.00

*This amount reflects the uncollectible tax amount at seven percent (7%).

(3) That the approximate amount (Grand Total) for said purpose is as follows:

Projected Revenue

* Projected Tax Collection

\$860,216,00

\$800,000.00

*This amount reflects the uncollectible tax amount at seven percent (7%).

That the separate and aggregate assessed valuation of each class of taxable property within Hancock County is as follows:

CLASS II CLASS III CLASS III CLASS IV \$ 0 \$353,058,280 \$349,967,825 \$247,574,024

(5) That the proposed additional rate of kevy in cents per hundred dollars of assevaluation on each class of property is as follows:

CLASS I 0.6946 cents per \$100 of assessed valuation CLASS II 1.3892 cents per \$100 of assessed valuation CLASS III 2.7844 cents per \$100 of assessed valuation 2.7784 cents per \$100 of assessed valuation

- (5a) That, in the event the separate and aggregate assessed value of each class of property within the County of Hancock increases during the term of the special excess levy, the levy rate shall be adjusted so that the projected tar collection will not exceed \$200,000.00 in any fiscal year and, that if any such additional levies exceed the approximate sum of \$200,000.00, the amount in excess of said approximate sum shall be transferred to the general fund of said County for expenditure by said County for recreational purposes only.
- (6) That the proposed years to which the additional levy shall apply are the fiscal years beginning July 1, 2011, July 1, 2012, July 1, 2013 and July 1, 2014.
- That the County Commission of Hancock County will not issue bonds upon approval of the proposed levy.
- That the question of such additional levy shall be submitted eral election to be held on the 2nd day of November, 2010.
- (9) That this Order and Notice calling such election shall be given by the publication of at least once each week for two successive weeks and within fourteen (14) consecutive days preceding the special election in the Hancock County Courier and The Weitron Daily Times, two qualified newspapers of general circulation published in Hancock County, West Virginia. All the provisions of the laws concern ing general election shall apply as far as they are practicable, except that a separate bailot shall be used at such election when held in connection with any other election.
- (10) That the ballot to be used at such election shall be in the following form:

OFFICIAL LEVY BALLOT

The election to authorize additional levies for the fiscal years beginning July 1, 2011, July 1, 2012, July 1, 2013 and July 1, 2014, and for the purpose of providing the sum of \$200,000.00 for each said fiscal year for the financial support of the Hancock County Public Elbraries according to the Order of the County Commission of Hancock County, West Virginia, made and entered on the record the 15th day of July, 2010.

The additional rate of keys in cents per hundred dollars of assessed valuation class of property is as follows:

CLASS I 0.6946 cents per \$100 of assessed valuation CLASS II 1.2892-cents per \$100 of assessed valuation CLASS III 2.7784 cents per \$100 of assessed valuation CLASS IV 2.7784 cents per \$100 of assessed valuation

That, in the garate and aggregate assisted value of each class of property within the County of Baseoich increases during the term of the special excess levy, the levy rate shall be adjusted so that the projected are collection will not exceed 2200,000.00 in any fiscal year and, that it any such additional levies exceed the approximate sum of \$200,000.00, the amount in excess of said approximate sum shall be transferred to the general fund of said County for expenditure by said County for recreational purposes only.

☐ FOR THE LEVY

AGAINST THE LEVY

INSTRUCTIONS TO VOTERS:

To vote in favor of the levy submitted on this ballot, touch the screen until a checkmark (/) appears in the square opposite the words "FOR THE LEYY". To vote against the levy, touch the screen until a checkmark (/) appears in the square opposite the words "AGAINST-THE LEYYS".

THE COUNTY COMMISSION OF HANCOCK COUNTY, WEST VIRGINIA B+ Michael C. Swartzmiller President, County Commission of Hancock County West Virginia

Hancock Courier Printing Co.

P. O. Box 547, Jefferson Street New Cumberland, W.V. 26047-0547

Telephone 304-564-3131 Fax 304-564-3867

hcourierlegals@verizon.net

Commercial Printing Advertising

10/28/10

Levies

2083A/2084A

\$1,496.09

Hancock County Clerk Eleanor Straight P.O. Box 367 New Cumberland WV 26047

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Legal Advertisement #2083A - Board of Education Levy Published Oct. 21 and 28, 2010--66 1/2 inches #2084A- Library Levy Published Oct. 21 and 28, 2010--22 inches

Amount Due:

Invoice Date: Invoice #:

Project:

Billing #:

Amount Due:

Amount Paid:

\$371.91

\$1,496.09

FEIN # 55-047-8647-001

Home of "The Hancock County Courier"

Bills are due when presented. Terms: Net 30 days.

LEGAL ADVERTISEMENTS

LESCARD OF EDUCATION OF THE COUNTY OF LESCARD TO BE DECLARDED THE COUNTY OF THE COUNTY

TO THE POTERS OF HANCOCK COUNTY, WEST VIRGINIA

That, at a regular meeting of the Board of Education of Hancock County, West brighin, held on July 12, 2010, the following Order was made and entreed on record, to-vit:

BETT ORDERED BY THE BOARD OF EDUCATION OF THE COUNTY OF HANcolled "In appears to the Board of Education of the County of Hancock (heathaid)
Hancock County School District (hereinath; relied the "Education for the school District (hereinath; relied the "Education for the school District (hereinath; relied the "Education for the school District") and the school District (hereinath; relied the "Education for the school District") and the school District (hereinath; relied the "Education for the school district") and the school District (hereinath; of an improved elementation and file used of the upon this information, the found does accordingly fund that:

1. There are now and have been for several years in the School District deficiencies searce, over bishiding findings presently eastern which generally result in headful states searce, over the searce of the se

2. The funds derived from current levies which this Board is now authorized by the body, after providing for administration of the affairs of the Board and meeting the current expenses thereof, required by law, ore insufficient for finance who required by law, ore insufficient for finance who comprehensive building program and, therefore, Boards should be known to provide funds for such projects.

3. To obtain the necessary funds for the projects horsinafter described, it will be improvement, equipping and issue Bonds for the acquisition, construction, exection, that the School District must spend at least the sum of Elizadi. Months of the School District must spend at least the sum of Elizadi. Months of the School District must spend at least the sum of Elizadi. Months of the sum of the School District, and the sum of the School District, the sum of the School Distr

4. The valuation of the incable property in the School District, as shown by the fact tion of each class of property within the School District is \$550,600,249 and Square tion of each class of property within the School District is as follows:

5. The Banci and the School District now has no outstanding bonded had bledness. The unbounded indebtedness of the School District is for current expenses and contine and from current levy funds. The nanimum bounded indebtedness the Bancie curine as \$425.50.012, Accordingly, additional bounds in the memour of \$52.70.000 (a) which
has then five present (\$78) of the value of reach bandle property as secretained within
his particular and County sixts may be issued and sold, without the
lating any constitutional or statutory provision.

agregating up to \$32200.000 around a \$5.000.000 each, or juneged multiples thereof, part of the Sand projects including should be issued and sold, the proceeds after the projects including about the issued and sold, the proceeds after the projects including a sold provided, however, that is not a training the part of the Sand projects should be used to for completion of the place of the sand projects and with the Minicipal Bond Commission of the place of the sand projects and with the Minicipal Bond Commission of the place of the sand projects and the first of the place of the sand projects and the sand proje

The bonds shall ben't ployed (1858) repends topics not exceeding the ring of six and present (1858) (1952) and the bed

Honor the Commission of the Section of Commission of Commission of the Section of Commission of Commissi Veilon Heipitschied Veilon Benginschied Veilon Benginschied In the event the Bond is approved by the recept and the Bonds are issued, the requirements of West, Tripman, Code Section 36,15-134, shall not be observed with respect to the charge or consolidation of the fullying sphools: New Metrico Estimation School New Metrico Elementary Sil. Grant-S19,000,000
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New Set Student Press
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Liberty TOTAL PROPOSED BOND CALL: Chair D. Redeffer 17 Community Source (purp) Modelplar Dond Funds-\$1,388.90 (mallout Source) (purp) Modelplar Dond Funds-\$1,388.90 (mallout Source) (purp) (BOND CALL: PROJECT COSTS: \$56,000,000
TOTAL PROPOSED BOND CALL: \$77,000,000 CLOSURES

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Lead by the Constitution of said levy, the assessment boy putterized to be laid by said the statute statical principles of the state of the statute statical principles of the state of the 33 If the debt represented by this Bond issue shall be appro

New Poolitail/Socour Statium
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Industry Artifical Try Finds
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additional compute Parking for genus TOTAL PROPOSED BOND CALL: New Materian Linmanian Schiol. New Werton Identificary SSM Grant \$10 000000 Acquaint Strain S Iohn D. Reckeller, IV Carrer Caute: Resting John D. Rockeller, Jone Nuide-31,338,900.

Recognition: Including without IV Carrer Corper

IV Carrer Corper

New Cambersiand,

West Virginia,

West Virginia, ND CALL: PROJECT COSTS, \$55,000,000, TOTAL PROPOSED BOND CALL: \$37,000,000

If the voters of the School Digitate approve the incurring of said debt and the issuance of said Bonds, the <u>Beard will the similarity</u> upon the assessed voluntion of all the transmenter property within the School <u>Billiotics</u> a levy sufficient to provide funds for the paying the principal of the <u>Bonds</u> at maliurity, for which purposes a levy upon secretainty and fun, based upon the last assessment of such property for State and County purposes, will be a constituted as follows:

1 -

Upon Class I Property Approximately——11.22 consultate Upon Class II Property Approximately——22.44 cmts Upon Class III Property Approximately—4348 (control Upon Class IV Property Approximately—4348 (control Upon Class IV Property Approximately—4348 (control Upon Class IV Property Approximately—4348)

Bond Funds-\$5,269,112 EST MATER COST

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Oak Glen High School
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limitation: Science Department
and Restrooms Dak Glen Middle School onstruct Wrestling Building Existing Oat Gler. High School, Road Funds 17/768,437 New Cumberland, West Virginia Existing Oak Glen Middle Bond Funds-\$784,675 New Cumberland, West Virginia.

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Restrooms, Disabled Access Behind VIS Auditorium, and MS Auditorium leating Replacement. cir Middle School novations including without mitation: Existing Weir Middle School Bond Funds-\$669,669 Weirtun, West Virginia

Existing Weir High School Bond Founts-\$7,330,193
Etamostions including without Weirton, West Yinginia
Limitation: Exterior Concrete
Schatz sand Walds, Science
Départment, Petriomet and HS
Auditorium Seating Replaiement. Meirton High School

section 8, Article X of the Constitution, known as the "School Biog." Automatical and the orders had be approved, by synthetic and the order of the Y of the Constitution, known as the "School Biog." Automatical and the order of the Y of the Constitution of the Y of the Automatical Constitution of the Y of the Constitution of the Y of the Constitution of the Y of the Constitution of t

Bond Funds-\$6,189,232

- 2. Notes of this question shall be From by publication of the Order at least one for the Order at least to the
- 3. The ballot shall be in the form; that follows:

HANCOCK CONTYPENDENT OF BETTER AT THE STATE OF THE STATE OF STATE

A.T.Allisin Elementary
Construct Physical Education and Elementary School
Pre-K Classrooms.

Citisler, West Virginia PROJECT rocation .

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Renovations including without Limitation: Site Drainage, Landscaping, Bollards, Play New Manchester Elementary Construct Physical Education 3 Pre-K Classrooms.

US IT FURTHER ORDERED BY THE HOARD OF EDUCATION OF THE CONTROL OF

After careful study and due doll-resistor, the Board inche that studied in builfielder for the purpose) of georgia current expresses and do correctly cles to strong building facilities. Wherever, the Board project the things to see soft abunded formular of the general elections in solid on Monables (Audional Company of the general elections for solid on Monables (Audional Company) and the project of which the building of the purposes so forth in the current.

The commissioners and theirs appointed and see third for the preparation stand to the same commissioners and dearly designated, appointed and the County Commission and as adopted by a supplementary order of the the County Commission and as adopted by a supplementary order of the the County Commission and as adopted by a supplementary order of the the County Commission and as adopted by a supplementary order.

October 21 and 28, 2010 K County Courier

NATIONAL SHERIFFS ASSOCIATION
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NATI THA ADONACHE PROMITSON
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MIRANDA KEEDER AUSS UTLLTY OF WV INC. 2052 MOTEL 6 CHARLESTON EUIT, 7052 MOUNTAINEER GAS COMPANY.

MICHAEL WPOWELL 500W MICHAEL WHITE 200435 MICHELLE BRETA 5 50 MICHELLE JAWOSKI 5700 MIDWEST RADAR & EQUIPMENT MICHAEL E NOGAY ESG

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DIRECTOR 11462 requirements of West Virginia Code Section 18-15-13a sh respect to the closure or consolidation of the fullowing schools: hall not be observed will

Broadriese Elementary School to be closed former students to be served by New Wighton Elementary School.

Eliberty Elementary School to be closed for ner students to be served by New Welton

SPOIT ON Holpha Elementary School to be closed: former students to be served by New Wolfton Elementary School.

The above amounts are made up of the aggregate principal amount of the Bond issue in the sum of THIRTY-SEVEN MILLION DOLLARS (\$37,000,000).

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Hancock Courier Printing Co.

P. O. Box 547, Jefferson Street New Cumberland, W.V. 26047-0547

Telephone 304-564-3131 Fax 304-564-3867

hcourierlegals@verizon.net

Commercial Printing Advertising

Hancock County Clerk Eleanor Straight P.O. Box 367 New Cumberland WV 26047

Invoice Date:	10/7/10
Invoice #:	
Project:	Sample Ballots
Billing #:	2078A
Amount Due:	\$1,627.71
Amount Paid:	

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Legal Advertisement
Publication of Sample Ballots-General, Library Levy, School Bond Levy
October 7, 2010
#2078A

Amount Due: \$1,627.71

Total Total

Total: \$1,627.71

FEIN # .. 55-047-8647-001.

The state of the

Home of "The Hancock County Courier"

Bills are due when presented. Terms: Net 30 days.

CERTIFICATE OF PUBLICATION

2018A

HANCOCK COUNTY COURIER Published By CERTIFICATE OF PUBLICATION Published By

THE HANCOCK COURIER PRINTING COMPANY

COUNTY OF HANCOCK	
COUNTY COUNTER, a newspape	publisher of the HANCOCK r published in the CITY OF NEW
	Γ VIRGINIA, hereby certify that the aid newspaper on the following dates:
Octobe-	
commencing on the 7th day o	of Oct. 20 10
Given under my hand this 7th da	ay of
	Joyn Fran
	A Secretary of the second of t
Sworn to and subscribed before me	this 7712 day of
Sworn to and subscribed before me	this 7772 day of Notary Public

Classified/Legal Advertising Invoice

Herald Star Legals+

401 Herald Square

Steubenville, OH 43952 (740) 283-4711

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26047

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Phone: 304 564-3311

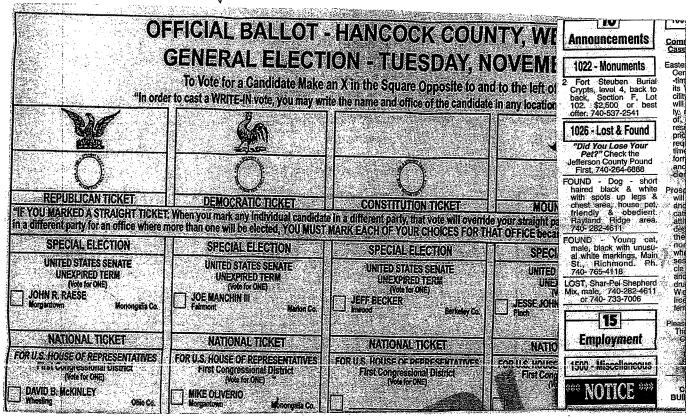
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4-711-077-1-108

STATE OF WEST VIRGINIA COUNTY OF HANCOCK

nereby certify that the annexed publication was inserted in said newspaper on the following dates: Dates- 10-12; 11-1, 2010
Given under my hand this <u>1st</u> day of <u>November</u> 2010
11111111111111111111111111111111111111
day of November 2010
of, in and for HANCOCK COUNTY, WEST VIRGINIA
NOTARY: NANCY KAUFMANN NOTARY PUBLIC - STATE OF OHIO MY COMMISSION EXPIRES JUNE 9, 2012
Mancy Kaugmann



State of West Virginia, County of Hancock, to-wit:

I, ELEANOR STRAIGHT, Clerk of the County Commission of Hancock County, having the custody of the files, journals and records of said Commission, do hereby certify that the foregoing is a true and accurate copy of:

PUBLICATION OF THE HANCOCK COUNTY GENERAL ELECTION BALLOT ALSO THE PUBLICATION OF THE ORDER AND NOTICE OF SPECIAL ELECTION LEVIES FOR THE ELECTION TO BE HELD ON NOVEMBER 2, 2010"

as it appears of record in my office, and I further certify that it is a true official ballot and order publication record.

In witness whereof, I have set my hand and affixed the seal of said Commission at New Cumberland, Hancock County, West Virginia, this 15th day of November, 2010.

Eleanor Straight, County Clerk

Hancock County, West Virginia

101 South Queen Street Martinsburg, West Virginia 25401 (304) 263-0836

7000 Hampton Center Morgantown, West Virginia 26505 (304) 285-2500

Lexington, Kentucky 40507-1639 (859) 252-2202

WALL TARRESTS AT LAW 600 Quarrier Street Charleston, West Virginia 25301 333 West Vine Street, Suite 1700

> Post Office Box 1386 Charleston, West Virginia 25325-1386 (304) 347-1100

> > www.bowlesrice.com

February 4, 2011

5th Floor, United Square 501 Avery Street Parkersburg, West Virginia 26101 (304) 485-8500

480 West Jubal Early Drive Suite 130 Winchester, Virginia 22601 (540) 723-8877

E-Mail Address: emcdevitt@bowlesrice.com

Edward D. McDevitt Telephone — (304) 347-1711 Facsimile — (304) 343-3058

> Dawn E. Warfield, Esquire Office of the Attorney General Building 1, Room E-26 1900 Kanawha Boulevard, East Charleston, West Virginia 25305

> > Re: Proposed \$37,000,000 The Board of Education of the

County of Hancock, Public School Bonds, Series 2011

Dear Dawn:

Enclosed herewith please find proof of publication for the Attorney General's Approval in reference to the above issue. Please note that the advertising was done as a Class II advertisement as required under law. We would note that the last publication date, in the second newspaper, was the 27th day of January 2011. We would appreciate your taking the appropriate action in connection with this at the earliest date permitted by law. Due to timing, and in order to better serve the Board of Education and the students of Hancock County, West Virginia, we are moving this matter on the earliest permitted track.

Your usual cooperation is greatly appreciated.

Very truly yours,

Edward D. McDevitt

VIA HAND DELIVERY

EMD/vam Enclosures (2)

Ms. Suzan Smith

Ms. Marie Prezioso

281 3474.34

CERTIFICATE OF PUBLICATION

Hancock County Courier

Published By
THE HANCOCK COURIER PRINTING COMPANY

WEST VIRGINIA.

STATE OF WEST VIRGINIA, COUNTY OF HANCOCK	
COUNTY COURIER, a newspan NEW CUMBERLAND, STATE certify that the annexed public newspaper on the following dates	publisher of the HANCOCK per published in the CITY OF OF WEST VIRGINIA, hereby plication was inserted in said
January 20,2	1, 2011
commencing on the 20 th day	of Jan. 20/1
Given under my hand this 27	day of Jan.
Given under my nand this	
20 <u>//</u> .	
1	before me this $\frac{2711}{2}$ day of
January 20 //	Joseph Henry
	Notary Public
of, in and for HANCOCK COUNTY,	Official Seal Notary Public, State of West Virginia

State of West Virginia Josephine Heinzman PO Box 791

My Commission Expires December 22, 2020

New Cumberland, WV 26047

IN THE MATTER OF THE BOARD OF EDUCATION OF HANCON'K COUNTY STATE OF WEST VIRGINIA \$37,000,000 PUBLIC SCHOOL BOND, SERIES 2011

ATTORNEY GENERAL'S APPROVAL

At a regular meeting of the Board of Education of the County of Hancock, State (
West Virginia, held on the 12th day of July 2010, an order was adopted and entered (
record authorizing a vote to be taken of legal voters of the County of Hancock at a get eral election to be held on the 2nd day of Nomber 2010. popen and questions connected with the incurring of debt and issuing bonds in the aggregate principal amount of THIB TY-SEVER MILLION DOLLARS (537,000,000), and levying taxes to pay the interest of and the principal of said bonds, the proceeds from the sale of such bonds to be used to the following purposes:

PROJECT

LOCATION

ESTIMATED COST

A.T. Allison Elementary

Construct Physical Education and 3 Pre-K Classrooms.

Existing A.T. Allison Elementary School Chester, West Virginia

Bond Funds \$5,269,11:

Renovations including without limitation: Site Drainage, Landscaping, Bollards, Play Yards, Paving & Paring, Windows, Saring, Paving & Paring, Windows, Saring, Paving & Celling, Flooring, Hort-Calipts, Security Cameras, Restrooms, Electrical, Data Wiring, Fer Sprindering and Asbestos Abatement.

New Manchester Elementary

Construct Physical Education and 3 Pre-K Classrooms.

Existing New Manchester Boud Elementary School New Cumberland, West Virginia Bond Funds \$6,189,237

Renovations including without limitation: Site Durlange, Landscaping, Bollards, Play Landscaping, Bollards, Play Yards, Paving & Parling, Roofing, Windows & Curtain Wall, Exterior Doors, Joint Sealing, Downspouts, Cillings, Floring, Elevator, H. VAC, Lights, Security Cameras, Restrooms, Electrical, Lighting, Data Wirlag, Fire Sprinklering and Asbestos Abalestica.

Oak Glen Middle School

Construct Wrestling Building

Existing Oak Glea Ro Middle School New Cumberland, West Virginia Bond Funds \$784.675

Oak Glen High School

Renovations including without limitation: Science Department and Restrooms.

Existing Oak Glen Bo High School New Cumberland, West Virginia Bond Funds \$7,768.437

and Restrooms.

Complete the Field of Dreums, locking paved & lighted parking locking paved & lighted scess drives, and the support of the paved of lighted access drives, and the support of the support

Weir Middle School

Renovations including without limitation: Restroons, Disabled Access Behind NS Auditorium, and MS Auditorium Seating Replacement.

Weirton High School

Renovations including without limitation: Exterior Concrete Stairs & Wells, Science Weirton, West Virginia Department, Restrooms and HS Additorium Seating Replacement.

New Football-Soccer Studium including Artificial Turf Field, Blacker Scaling for 3,000 Restrooms, Game Locker Rooms, Convessions, Pressbox, Hypother of Existing Field Lighting, of Existing Field Lighting, Soreboard, PAGound System, Repair/Resurfacing of Existing 8-lune Track, Field Feening and additional campus parking for gas

John D. Rockefeller, IV Career Center

Renovations including without limitation: Heating, Ventilating and Air Conditioning.

Existing John D. Rockefeller Bond Funds \$1,358.90 IV Career Center New Comberland, West Virginia

ton Elementary School

Acquisition of land, construction and equipping of New 950-Student PreK-4 Elementary School (includes demolition of Broadview, Liberty & Welrton Heights existing elementary schools).

New Weirton Elementary
To be located in the
3400 block of Total \$26,629,78
Pennsylvania Avenue in
Weirton. West Virginia

TOTAL PROPOSED BOND CALL:

Project Costs: \$56,000,00
Third Party
Funds: 19,000,00
Total Proposed
Bond Call: \$37,000,00

The above amounts are made up of the aggregate principal amount of the Bond issu in the sum of THIRTY-SEVEN MILLION BOLLARS (\$37,000.000).

The Board of Education of the County of Hancock, pursuant to the provisions of Chapter 13, Article I. Section 25, of the West Virginia Code of 1931, as amended, ha caused to be transmitted to nevertiled copies of all pertinent orders, ordinance, proclamations, certificates of raduation, notices, advertisements, affidavits, resolutions an ecords of all the proceedings connected with or pertaining to such bond issue, and I have examined the same

It appears from the records so transmitted to me that with respect to the proposition of incurring debt and issuing bunds, as provided in said order, 5,214 votes were cast fo and 5,010 votes were cast against the issuance of said bonds, so that a majority of th votes were cast for the proposition.

In my opinion, there has been substantial compliance with the bar relating to the issuance of said honds, and I therefore approve the validity of such hond issue pursuan to the provisions of Chapter 13, Article 1, Section 25, of the West Virginia Code of 193 as amended.

(s) DARRELL V. MCGRAW, JR. Charleston, West Virginia January 14, 2011

Publish: January 29, 27, 2011 Hancock County Courier

STATE OF WEST VIRGINIA COUNTY OF HANCOCK

I, <u>LISA L. BOYER</u> , bookkeeper for the publisher of <u>THE WEIRTON DAILY TIMES</u> a newspaper in the City of Weirton, State of	
West Virginia, hereby certify that the annexed publication was inserted in said newspaper on the following dates: Dates: 1-17, 24, 2011	
Given under my hand this <u>24th</u> day of <u>January</u> 2011	
Lisa L. Boyer	
Sworn to and subscribed before me on this 24th day of January , 2011 of, in and for HANCOCK COUNTY, WEST VIRGINIA	1
NOTARY:	
NANCY KAUFMANN NOTARY PUBLIC - STATE OF OHIO MY COMMISSION EXPIRES JUNE 9, 2012	

IN THE MATTER OF THE BOARD OF EDUCATION OF HANCOCK COUNTY STATE OF WEST VIRGINIA 537,000,000 PUBLIC SCHOOL BOND, SERIES 2011

ATTORNEY GENERAL'S APPROVAL

At a regular meeting of the Board of Education of the County of Hancock, State of West Virginia, held on the 12th day of July 2010, an order was adopted and entered of record authorizing a vote to be taken of legal voters of the County of Hancock at a general election to be held on the 2th day of November, 2010, upon all questions connected with the incurring of debt and issuing bonds in the aggregate principal amount of THIRTY-SEVEN MILLION DOLLARS (\$37,000,000), and levying taxes to pay the interest on and the principal of said bonds, the proceeds from the sale of such bonds to be used for the following purposes:

ı				
l	PROJECT	LOCATION	ESTIM	ATED COST
ł	A.T. Allison Elementary			
I	Construct Physical Education and 3 Pre-K Classmons.	Existing A.T. Allison Elementary School Chester, West Virginia	Bond Funds	\$5,269,112
	Renovations including without limitation: Site Drainage, Landscaping. Rollards, PlayYards. Paving & Parking, Windows. Exterior Doors, Joint Sealing, Downspours, Cellings, Plooring, HVAC, Lights. Security Cameras, Restrooms. Electrical. Data Wirling, Fire Sprinklering and Asbestos Abatement.			
I	Now Manchester Elementary			
l	Construct Physical Education and 3 Pre-K Classrooms.	Elementary School New Comberland, West Virginia	Bond Funds	\$6,189,232
	Renovations including without liaitations, since various, and stoping, following, following, project of various with Everisor Doors, Joint Scaling, Doorsports, Ceiling, Proving, Edward Will, Everisor Doors, Joint Scaling, Doorsports, Ceiling, Piconine, Eleventer, HVAC, Light, Security Canness, Restrooms, Electrical, Lighting, Das Willing, Fire Sprinklering and Adbestor Abstructure.			
ł	Oak Glep Middle School			
l	Construct Wrestling Building.	Existing Oak Glen Middle School New Cumberland, West Virginia		\$784,675
ł	PROJECT	LOCATION	ESTIMAT	ED COST
ļ	Onk Glen High School			
I	Renovations including without limitation. I Science Department and Restrooms	Existing Oak Glen High School New Cumberland, West Virginia	Bond Funds	\$7,768,437
ı	Complete the Field of Urwans, including pared & lighted pasking lots, paved & lighted sacress drives, lighted stains to OdHS, concession stand, returners and maintenance building: in addition to breacht! cithabil field bleschere, press boxes, PA systems and severeboards. New Forthall Sacre Staffium Cartholic Sacress and Staffium Cartholic Sacress and			
	Renovations including without limitation: Restrooms, Disabled Access Behind MS Auditorium, and MS Auditorium Seating Replacement.	Extuing Weir Middle School Weirton, West Virginia	Bond Funds	\$669,669
1	Weir High School			
-	Renovations including without limitation; Exterior Concrete Stafes & Welks, Science Department, Restrooms and HS Auditorium Sesting Replacement.	Existing Weir High School Weirton, West Virginia	Bond Funds	\$7,330,193
	New Football/Soccor Stadium Including Artificial Turf Field, Riencher Scating for 3,000, Restrooms, Game Lucker Rooms, Concessions, Presebox, Upsyading of Existing Field Lighting, Scoreboxd, PA/Sound System, Repair/Resurfacing of Existing 8-Inor Track, Field Foncing, and additional campus parking for games.			
	John D. Rockefeller, IV Career Center			
	Renovations including without limitation: Heating, Ventilating and Air Conditioning.	Existing John D. Rockefeller, IV Career Center New Cumberland, West Virginia	Bond Funds	\$1,358,900
	New Weirton Elementary School			*******
	Acquisition of land, construction and equipping of New 950-Student PreK-4 Elementary School (includes demolition of Breadview, Liberty & Weiron Heights existing elementary schools).	New Weirton Elementery School To be located in the 3400 block of Pennsylvania Avenue in Weirton, West Virginia	SBA Grant: Bond Funds: Total	\$19,000.000 7,629,782 \$26,629,782
	TOTAL PROPOSED BOND CALL:		Project Costs: Third Party	000,000,622
			Funds: Total Proposed	\$19,000,000
			Bond Call:	\$37,000,000
	The above amounts	s are made up of the aggreg	ate principal am ARS (\$37,000,0	nount of the 00).

Bond issue in the sum of THIRTY-SEVEN MILLION DOLLARS (\$37,000,000).

The Board of Education of the County of Hancock, pursuant to the provisions of Chapter 13, Article 1, Section 25, of the West Virginia Code of 1931, as amended, has caused to be transmitted to me certified copies of all pertinent orders, ordinances, proclamations, certificates of valuation, notices, advertisements, affidavits, resolutions and records of all the proceedings connected with or pertaining to such bond horse consider the same issue, and I have examined the same.

It appears from the records so transmitted to me that with respect to the proposition of incurring debt and issuing bonds, as provided in said order, 5,214 votes were east for and 5,010 votes were east against the issuance of said bonds, so that a majority of the votes were east for the proposition.

In my opinion, there has been substantial compliance with the law relating to the issuance of said bonds, and I therefore approve the validity of such bond issue pursuant to the provisions of Chapter 13, Article 1, Section 25, of the West Virginia Code of 1931 as amended.

Charleston, West Virginia January 14, 2011

1-17,24, 2011 Adv.

DARRELL V. MCGRAW, JR.

JANUARY 14, 2011

IN THE MATTER OF THE BOARD OF EDUCATION OF HANCOCK COUNTY STATE OF WEST VIRGINIA 537.000,000

PUBLIC SCHOOL BOND, SERIES 2011

ATTORNEY GENERAL'S APPROVAL

At a regular meeting of the Board of Education of the County of Hancock, State of West Virginia, held on the 12⁸ day of July 2010, an order was adopted and, entered of record authorizing a vote to be taken of legal voters of the County of Hancock as a general election to be held of the 2nd day of November, 2010, upon all question connected with the incurring of dets and issuing bonds: = 2nd agregate principal amount of THRTY-SEV MILLION DOLLARS (337,000,000), and levying taxes to pay the interest on and the principal of Sad bonds, the proceeds from the sale of such bonds to be used for the following purposes:

PROJECT	LOCATION	ESTIMA	TED COST
A.T. Althou Elementary			
Construct Physical Education and 3 Pro-K Classroome. Benovations including without timitestim: Site Drainage, Landscappus, Bollands, PlayMards, Privage & Pethase, Widooree, PlayMards, Privage & Pethase, Widooree, Academies, Playmards, Playmards, Cadinage, Rooring, 1874C. Light, Security Camerax, Reservors, Bilemands, Data Wiring, Fire Spankloring and Auberton Abstences.	Existing A.T., Allison Elementary School Chessor, Wost Virginis	Bood Funds	\$\$ <u>269</u> ,112
New Manchester Elementary			
Construct Physical Education and 3 Pre-K Classrooms.	Existing New Menchester Elementary School New Cumberland, West Virginia	Bood Funds	\$6,189,332
Removations including without Brisiston: Site Drussege, Landscapeng, Bolland, PlayVerds, Paving & Parting, Rooting, Windows & Curtans Wall, Enartier Down- toired Scaling, Downspous, Cellings, Flooring, Elevator, HVAC, Lights, Security Cameron, Retrotoms, Electrical, Lighting, Date Wirling, Pire Sprinkforing and			

	•			
	Construct Wrestling Building.	Existing Oak Glen Middle School New Cumberland, West Virginia	Bond Fands	\$784,675
	PROJECT	LOCATION	ESTIMAT	ED COST
	Onk Gion High School			
	Repovations including without limitation: Science Department and Restrooms.	Existing Oak Glen High School Now Cumberland, West Virginia	Bond Funds	\$7,768,437
	Complete the Field of Dreams, including paved & lighted perhing lose, paved & lighted perhing lose, paved & lighted access drives, lighted staffs to OCHS, concession stand, restromes and maintenance building in addition to baschall/softball (field bleechers, proposers, Pro-ysterms and socroboards, New Football/soccer Staffurm including, varitical Turf Field, Bleecher Staffur, Neutrical Turf Field, Bleecher Staffur, Concessions, Pay-Novard System, Republic Restricts of Staffur, Republic Restricts of Staffur, Republic Restricts of Exhibits, 3-lane Trush Pay-Novard System, Republic Restricts of Exhibits, 3-lane Trush of Payed Restricts of Staffur, and Restricts of Staffur, Republic Restricts of Staffur, Republic Restricts of Staffur, Restric			
	Weir Middle School			
	Renovations including without limitation: Restrooms, Disabled Access Rehlad MS Auditorium, and MS Auditorium Seating Replacement.	Existing Weir Middle School Weirron, West Virginia	Bond Funds	\$669,609
	Weir fligh School			
	Renovations including without ilmitation: Exterior Concrete Stairs & Walks, Science Department, Restrooms and HS Auditorium Sesting Replacement.	Existing Weir High School Weirton, West Virginia	Bond Funds	\$7,330,193
	New Footbill/Soccer Stadium including Artificial Turf Field, Bleacher Sening for 3,000, Restmonts, Game Locker Rooms, Concessions. Pressbox, Upgrading of Existing Field Lighting, Scoreboard, PA/Sound System, Repair/Resurfacing of Existing 8-lane Track, Field Fencing and additional cumpus parking for games.			
	John B. Rockefeller, IV Career Ceuter	•		
	Renovations including without limitation: Heating, Ventilating and Air Conditioning.	Existing John D. Rockefeller, IV Career Center New Cumberland, West Virginia	Bond Funds	\$1,158,900
i	New Weirton Elementary School			
	Acquisition of land, construction and coupping of New 950-Student PreK-4 Elementary School (Includes demolition of Broadview, Liberty & Welton Heights existing elementary schools).	New Weirton Elementary School To be located in the 3400 block of Pennsylvania Avenue in Weirton, West Virginia	SBA Grant: Bond Funds: Total	519,000,000 7.629,782 \$26,629,782
	TOTAL PROPOSED BOND CALL:		Project Costs: Third Party	000,000,222
ļ			France	410 000 000

It appears from the records so transmitted to me that with respect to the proposition of incurring debt and issuing bonds, as provided in said order, 5,214 votes were cast for and 5,010 votes were cast against the issuance of said bonds, so that a majority of the votes were cast for the proposition.

In my opinion, there has been substantial compliance with the law relating to the issuance of said bonds, and I therefore approve the validity of such bond issue pursuant to the provisions of Chapter 13, Article 1, Section 25, of the West Virginia Code of 1931 as amended.

Charleston, West Virginia' January 14, 2011

1-17,24, 2011 Adv.

Lassey W. Sking

\$19,000,000

\$37,000,000

The above amounts are made up of the aggregate principal amount of the Bond issue in the sum of THIRTY-SEVEN MILLION DOLLARS (\$37,000,000).

The Board of Education of the County of Hancock, pursuant to the provisions of Chapter 13, Article 1, Section 25, of the West Virginia Code of 1931, as amended, has caused to be transmitted to me certified copies of all pertinent orders, ordinances, proclamations, certificates of valuation, notices, advertisements, affidavits, resolutions and records of all the proceedings connected with or pertaining to such bond issue, and I have examined the same.



SUPREME COURT OF APPEALS

Office of the Clerk

STATE CAPITOL, ROOM E-317 1900 KANAWHA BOULEVARD, EAST

Charleston, WV 25305 Phone: (304) 558-2601

Fax: (304) 558-3815

WEB: www.state.wv.us/wvsca

CLERK OF COURT RORY L. PERRY II

DEPUTY CLERK EDYTHE NASH GAISER

February 8, 2011

Dawn E. Warfield, Esq.
Deputy Attorney General
Attorney General's Office
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Re: \$37,000,000 Hancock County Board of Education

Public School Bonds, Series 2011

Dear Ms. Warfield:

As of this date, no person or taxpayer, within ten days from and after the date of last publication of notice of the above-referenced bond issue on January 27, 2011, has presented a petition to the Supreme Court of Appeals, or to a judge thereof in vacation, praying that the action of the Attorney General, which approved the subject issue pursuant to West Virginia Code §13-1-25, be reversed or modified as provided in West Virginia Code §13-1-26.

If there are any other questions regarding this matter, please give me a call.

Sincerely.

Rory L. Perry II

Clerk



STATE OF WEST VIRGINIA OFFICE OF THE ATTORNEY GENERAL CHARLESTON 25305

DARRELL V. McGRAW, JR. ATTORNEY GENERAL

(304) 558-2021 FAX (304) 558-0140

February 8, 2011

The Honorable Rory L. Perry, Clerk West Virginia Supreme Court of Appeals State Capitol, Room E-317 Charleston, West Virginia 25305

Re

\$37,000,000 Hancock County Board of Education

Public School Bonds, Series 2011

Dear Mr. Perry:

On January 14, 2011, as Attorney General of the State of West Virginia, I approved the above-referenced bond issue as provided for by West Virginia Code § 13-1-25. As evidenced by the enclosed copies of the Affidavits of Publication, notice of my approval was published in *The Weirton Daily Times* and the *Hancock County Courier*, as required by law, with the last publication date being January 27, 2011.

Please advise me whether any person or taxpayer within ten days from and after the date of the last publication of the above-referenced notice presented any petition to the Supreme Court of Appeals or to a Judge thereof in vacation, praying that the action of the Attorney General be reversed or modified as provided in West Virginia Code § 13-1-26.

Very truly yours,

DARRELL V. McGRAW, JR. ATTORNEY GENERAL

Bv:

DAWN E. WARFIELD

DEPUTY ATTORNEY GENERAL

un L. Washild

DEW/sc Enclosures

Copy Of ! Advertisement

City and County of New York, ss.: -

Yohanna Beato being duly sworn, says that she is the Billing Coordinator of the BOND BUYER, a daily newspaper printed and published at One State Street Plaza, in the City of New York, County of New York, State of New York; and the notice, of which the annexed is a printed copy, was regularly published in said BOND BUYER on February 10th, 17th 2011.

Billing Coordinator

Subscribed and sworn to before me this

February 10th, 2011

CYNTHIA D. LEWIS
Notary Public, State of New York
No. 01LE6202296
Qualified in New York County
Commission Expires March 9, 2013

Competitive Sales Notices

SUMMARY NOTICE OF BOND SALE \$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

Notice is hereby given that electronic proposals will be received via PARITY®, in the manner described below, until 12:00 noon, local time, on February 24, 2011. Bids may be submitted electronically via PARITY® pursuant to this Notice until 12:00 noon, local time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions sel forth in PARITY® conflict with this Notice, the terms of this Notice shall control. For further information about PARITY®, potential bidders may contact the Financial Advisor at (304) 346-1981. or PARITY® at (212) 849-5021. The Board reserves the right to change the date of sale and would give notice through TM3, or other such service, of any changes. The Bonds will be dated the date of their delivery and will mature on May 1 in

the years and in the amounts as follows:

Maturing (May 1)	Principal Amount (\$)	Maturing (May 1)	Principal Amount (\$)
2012	595,000	2025	1.480.000
2013	865,000	2026	1,545,000
2014	900.000	2027	1.620.000
2015	945.000	2028	1,695,000
2016	985,000	2029	1,770.000
2017	1,030.000	2030	1,850,000
2018	1.080.000	2031	1,935,000
2019	1.130,000	2032	2,025,000
2020	1.180.000	2033	2,120,000
2021	1,235.000	2034	2,215.000
2022	1.290,000	2035	2,320,000
2023	1,350,000	2036	2.425,000
_ 2024	1.415,000		

The Bonds are subject to redemption prior to maturity. The Bonds are general obligations of the Board and the full faith and credit of the Board are pledged for payment of the principal of and interest thereon. The approving opinion of Bowles Rice McDavid Graft &Love LLP, Charleston, West Virginia will be furnished to the successful bidder at the expense of the Board. The Bonds will be issued in fully registered form in denominations of 85,000 and multiples of 85,000 and will be available in book-entry form only with The Depository Trust Company acting

Bidders must refer to the complete Official Notice of Sale for the terms and conditions of the sale. A complete copy of the Official Notice of Sale and the Official Form of Proposal is contained in the Preliminary Official Statement and may be obtained from the Board's Financial Advisor, Raymond James & Associates, Inc., 500 Lee Street, East, Suite 530. Laidley Tower, Charleston, West Virginia, 25301 (telephone 304/346-1981).

By Order of The Board of Education of The County of Hancock (West Virginia)

February 10, 2011

SUMMARY NOTICE OF SALE

\$3,522,000 GENERAL IMPROVEMENT BONDS, SERIES 201 BOROUGH OF LEBANON IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Book-Entry Only

Bank-Qualified

Callable

DATED DATE:

Date of Delivery (on or about February 24, 2011).

TYPE OF SALE:

Electronic Auction with Two Minute Rule via MuniAuction.

BID/AWARD DATE:

February 17, 2011 at 11:30 a.m. to 11:45 a.m.

MATURITIES:

(February 1) <u>Year</u>	Principal <u>Amount</u>	(February 1) Year	Principal Amount
2012	\$120,000	2022	\$175,000
2013	125,000	2023	180,000
2014	125,000	2024	190,000
2015	130,000	2025	200,000
2016	135,000	2026	210,000
2017	140,000	2027	220,000
2018	145,000	2028	235,000
2019	150,000	2029	235,000
2020	160,000	2030	240,000
2021	170,000	2031	237,000

DENOMINATIONS: \$5,000 each or any integral multiple thereof, with minimum purchases of \$5,000 required, except that any amount of Bonds maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000 or any integral multiple thereof.

INTEREST RATES: Bidders must specify a rate of interest for each maturity of the Bonds which rate of interest must be expressed in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). Ascending coupons are required.

FURTHER CONDITIONS: See the Full Notice of Sale and the POS in electronic format at www.GrantStreet.com. Printed copies of the POS and the Full Notice

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

Notice is hereby given that electronic proposals will be received via PARITY®, in the manner described below, until 12:00 noon, local time, on February 24, 2011. Bids may be submitted electronically via PARITY® pursuant to this Notice until 12:00 noon, local time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY® conflict with this Notice, the terms of this Notice shall control. For further information about PARITY®, potential bidders may contact the Financial Advisor at (304) 346-1981 or PARITY® at (212) 849-5021. The Board reserves the right to change the date of sale and would give notice through TM3, or other such service, of any changes.

The Bonds will be dated the date of their delivery and will mature on May 1 in the years and in the amounts as follows:

Maturing (May 1)	Principal Amount (\$)	Maturing (May 1)	Principal Amount (\$)
2012	595,000	2025	1,480,000
2013	865,000	2026	1,545,000
2014	900,000	2027	1,620,000
2015	945,000	2028	1,695,000
2016	985.000	2029	1.770.000
2017	1,030,000	2030	1.850.000
2018	1,080,000	2031	
2019	1,130,000	2032	1,935,000
2020	1,180,000		2,025,000
2021	1,235.000	2033	2,120,000
2022	1,235,000	2034	2,215,000
2023		2035	2,320,000
2023	1,350,000	2036	2,425,000
2024	1,415,000		

The Bonds are subject to redemption prior to maturity. The Bonds are general obligations of the Board and the full faith and credit of the Board are pledged for payment of the principal of and interest thereon. The approving opinion of Bowles Rice McDavid Graft &Love LLP. Charleston, West Virginia will be furnished to the successful bidder at the expense of the Board. The Bonds will be issued in fully registered form in denominations of \$5,000 and multiples of \$5,000 and will be available in book-entry form only with The Depository Trust Company acting as securities depository.

Bidders must refer to the complete Official Notice of Sale for the terms and conditions of the sale. A complete copy of the Official Notice of Sale and the Official Form of Proposal is contained in the Preliminary Official Statement and may be obtained from the Board's Financial Advisor, Raymond James & Associates, Inc., 500 Lee Street, East, Suite 530, Laidley Tower, Charleston, West Virginia 25301 (telephone 304/346-1981).

By Order of The Board of Education of The County of Hancock (West Virginia) February 10, 2011

STATE OF WEST VIRGINIA COUNTY OF HANCOCK

I, <u>LISA L. BOYER</u>, bookkeeper for the publisher of <u>THE WEIRTON DAILY TIMES</u> a newspaper in the City of Weirton, State of West Virginia, hereby certify that the annexed publication was inserted in said newspaper on the following dates:

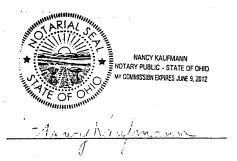
Dates: 2-10, 17, 2011

Given under my hand this <u>17th</u> day of <u>February</u> 2011

Sworn to and subscribed before me on this

17th day of February, 2011
of, in and for HANCOCK COUNTY,
WEST VIRGINIA

NOTARY:



SUMMARY NOTICE OF BOND SALE

\$37,000,000
The Board of Education of the
County of Hancock (West Virginia)
Public School Bonds, Series 2011

Notice is hereby given that electronic proposals will be received via PARITY®, in the manner described below, until 12:00 noon, local time, on February 24, 2011. Bids may be submitted electronically via PARITY® pursuant to this Notice until 12:00 noon, local time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY® conflict with this Notice, the terms of this Notice shall control. For further information about PARITY®, potential bidders may contact the Financial Advisor at (304):346-1981 or PARITY® at (212) 849-5021. The Board reserves the right to change the date of sale and would give notice through TM3, or other such service, of any changes.

The Bonds will be dated the date of their delivery and will mature on May 1 in the years and in the amounts as follows:

	iona.	
Maturing (May 1)	Principal Amount (\$)	Maturing (May(1), Principal Amount (
2012	595,000	2025 1,480,000
2013	865,000	2026 1,545,000
2014	900,000	2027 1,620,000
2015	945,000	2028 [,695,000
2016	985,000	2029 1,770,000
2017	1,030,000	2030 1,850,000
2018	000,080,1	
2019	1,130,000	2032 2.025,000
2020	1,180,000	2033 2,120,000
2021	1,235,000	2034 2,215,000
2022	1,290,000	2035 2,320,000
2023	1,350,000	2036 2,425,000
2024	1,415,000	4,125,000

The Bonds are subject to redemption prior to maturity. The Bonds are general obligations of the Board and the full faith and credit of the Board are pledged for payment of the principal of and interest thereon. The approving opinion of Bowles Rice McDavid Graft &Love LLP, Charleston, West Virginia will be furnished to the successful bidder at the expense of the Board. The Bonds will be issued in fully registered form in denominations of \$5,000 and multiples of \$5,000 and will be available in book-entry form only with The Depository Trust Company acting as securities depository.

Bidders must refer to the complete Official Notice of Sale for the terms and conditions of the sale. A complete copy of the Official Notice of Sale and the Official Form of Proposal is contained in the Preliminary Official Statement and may be obtained from the Board's Financial Advisor, Raymond James & Associates, Inc., 500 Lee Street, East, Suite 530, Laidley Tower, Charleston. West Virginia 25301 (telephone 304/346-1981).

By Order of The Board of Education of The County of Hancock (West Virginia) February 10, 2011

CERTIFICATE OF PUBLICATION

Hancock County Courier

Published By

THE HANCOCK COURIER PRINTING COMPANY

STATE OF WEST VIRGINIA, COUNTY OF HANCOCK
I, Hugh C. Take publisher of the HANCOCK COUNTY COURIER, a newspaper published in the CITY OF NEW CUMBERLAND, STATE OF WEST VIRGINIA, hereby certify that the annexed publication was inserted in said newspaper on the following dates: February 10, 17, 2011
commencing on the 10th day of Feb. 20 11
Given under my hand this 17th day of Feb
20/1. Zhell Calo
Sworn to and subscribed before me this 17th day of
February 20 11. Joseph Henry Notary Public
of, in and for HANCOCK COUNTY, WEST VIRGINIA. Official Seal Notary Public, State of West Virginia Josephine Heinzman

LEGAL ADVERTISEMENTS

SUMMARY NOTICE OF BOND SALE

\$37,000,000
The Board of Education of the
County of Hancock (West Virginia)
Public School Bonds, Series 2011

Notice is hereby given that electronic proposals will be received via PARITY®, in the manner described below, until 12:00 noon, local time, on February 24, 2011. Bids may be submitted electronically via PARITY® pursuant to this Notice until 12:00 noon, local time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY® conflict with this Notice, the terms of this Notice shall control. For further information about PARITY®, potential bidders may contact the Financial Advisor at (304) 346-1981 or PARITY® at (212) 849-5021. The Board reserves the right to change the date of sale and would give notice through TM3, or other such service, of any changes.

The Bonds will be dated the date of their delivery and will mature on May 1 in the years and in the amounts as follows:

Maturing (May 1)	Principal Amount (\$)	Maturing (May 1)	Principal Amount (S)
2012	595,000	2025	1,480,000
2013	865,000	2026	1,545,000
2014	900,000	2027	1,620,000
2015	945,000	2028	1,695,000
2016	985,000	2029	1,770,000
2017	1,030,000	2030	1,850,000
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2021	1,235,000	2034	2,215,000
2022	1,290,000	2035	2,320,000
2023	1,350,000	2036	2,425,000
2024	1,415,000		

The Bonds are subject to redemption prior to maturity. The Bonds are general obligations of the Board and the full faith and credit of the Board are pledged for payment of the principal of and interest thereon. The approving opinion of Bowles Rice McDavid Graft &Love LLP, Charleston, West Virginia will be furnished to the successful bidder at the expense of the Board. The Bonds will be issued in fully registered form in denominations of \$5,000 and multiples of \$5,000 and will be available in book-entry form only with The Depository Trust Company acting as securities depository.

Bidders must refer to the complete Official Notice of Sale for the terms and conditions of the sale. A complete copy of the Official Notice of Sale and the Official Form of Proposal is contained in the Preliminary Official Statement and may be obtained from the Board's Financial Advisor, Raymond James & Associates, Inc., 500 Lee Street, East, Suite 530, Laidley Tower, Charleston, West Virginia 25301 (telephone 304/346-1981).

By Order of The Board of Education of The County of Hancock (West Virginia)

February 10, 2011

Publish: February 10, 17, 2011 Hancock County Courier

CHANGE IN BID PARAMETER FOR HANCOCK, W.VA., ISSUE

Feb 22 2011 3:51

Print

NEW YORK (THOMSONREUTERS) - Raymond James and Associates, Financial Advisor for Feb. 24 sale of \$37 million The Board of Education of the County of Hancock (West Virginia), Public School Bonds, Series 2011, reports the following:

Change in Bidding Parameter set forth in Official Notice of Sale: Each proposal must state the amount bid for the Bonds not less than \$37,000,000 or greater than 105% of the par value of the Bonds

Desiree Barnett Data Editor

Thomson Reuters

Phone: 646-223-4185

desiree.barnett@thomsonreuters.com thomsonreuters.com

OFFICIAL NOTICE OF SALE

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

The Board of Education of the County of Hancock (West Virginia) (the "Board") is using PARITY® as a communication mechanism to conduct the electronic bidding for sale of its \$ 37,000,000 Public School Bonds, Series 2011 (the "Series 2011 Bonds"), as described herein.

Bid Submission

Notice is hereby given that electronic proposals will be received via PARITY®, in the manner described below, until 12:00 noon, Eastern Standard Time, on February 24, 2011. Bids for the Series 2 011 Bonds may be submitted electronically via PARITY® pursuant to this Notice until 12:00 noon, Eastern Standard Time, but no bid will be accepted after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY® conf lict with this Notice, the term s of this Notice shal I control. For further information about PARITY®, potential bidders may contact the Fi nancial Advisor at 304 .346.1981 or PARITY® at 135 9 Broadway, 2nd Floor, New York, NY 10018, telephone 212.849.5021. The bids will be publicly announced, and the Board will act upon the bids by 2:00 p.m., Eastern Standard Time.

Any prospective bidder that intends to submit an electronic bid must submit its electronic bid through the facilities of PARITY®. No in person or fax bids will be accepted. Subscription to PARITY® is required in order to submit an electronic bid and the Board will neither confirm any subscription nor be responsible for any failure of a prospect ive bidder to subscribe. No other form of electronic bid or provider of electronic bidding services will be accepted.

For the purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all electronic bids submitted.

Each bid must be unconditional.

The Board expects to take the bids on the Series 2011 Bonds on February 24, 2011. However, the Board reserves the right to postpone the date and time established for the receipt of the bids or to change the bidding parameters set forth in this Off icial Notice of Sale. Any such postpone ment or change will be announced by TM3, or any other such service. If the receipt of bids is postponed, any alternative date for receipt of bids will be announced. Any bidder must sub mit an electronic b id for the pur chase of the Series 2011 Bonds on such alternative sale date in conformity with the provisions of the Official Notice of Sale, except for any changes announced via TM3 or any other such service, as described therein.

Preliminary Official Statement

Copies of the Preliminary Official Statement concerning the Series 2011 Bonds and the Official Form of Proposal relating to the Series 2011 Bonds may be secured from Ms. Suzan Smith, Superinten dent, Hancock County Board of Education, 104 North Court Street, New Cumberland, West Virginia, 26047, telephone 304.564.3411 or from Raymond James & Associates, Inc., 500 Lee Street, East, Suite 530, Laidley Tower, Charleston, West Virginia, 25301, telephone 304.346.1981.

The Series 2011 Bonds

The Series 2011 Bonds will be dated the date of their delivery (the "Dated Date") and will mature on May 1 in the years and in the amounts as follows:

Maturing (May 1)	Principal Amount (\$)	Maturing (May 1)	Principal Amount (\$)
2012 5	95,000	2025	1,480,000
2013	865,000	2026	1,545,000
2014	900,000	2027	1,620,000
2015	945,000	2028	1,695,000
2016	985,000	2029	1,770,000
2017	1,030,000	2030	1,850,000
2018	1,080,000	2031	1,935,000
2019	1,130,000	2032	2,025,000
2020 1	,180,000	2033	2,120,000
2021	1,235,000	2034	2,215,000
2022 1	,290,000	2035	2,320,000
2023	1,350,000	2036	2,425,000
2024 1	,415,000		

The Series 2011 Bonds are general obligations of the Board and the full faith and credit of the Board are pledged for payment of the principal of and interest thereon. All the taxable property in Hancock County, West Virginia, will be subject to the levy of ad valorem taxes, without limitation as to rate or amount, sufficient to pay the principal of and interest on the Series 2011 Bonds when due.

The Series 2011 Bonds will be dated the Date of Delivery, and will be issued in fully registered form only, without coupons, and, when issued will be registered in the name of CEDE & Co., as no minee of The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Series 2011 Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or integral multiples thereof. Purchasers of the Series 2011 Bonds will not receive certificates representing their interests in the Series 2011 Bonds.

Pursuant to Chapter 13, Article 1, of the Code of West Virginia, 1931, as amended, both the principal of and interest on the Series 2011 Bonds are payable at the office of the West Virginia Municipal Bond Commission, Charleston, West Virginia, as Paying Agent. The Board has designated WesBanco Bank, Inc., Wheeling, as the Registrar.

Interest on the Series 2011 Bonds will be playable on November 1, 2011 and semiannually thereafter (each May 1 and November 1) in each year until maturity. The principal of and interest on the Series 2011 Bonds are payable by the Paying Agent to DTC, which will in turn remit such principal and interest to its participants for subsequent distribution to the owners of the Series 2011 Bonds.

Optional Redemption

The Series 2011 Bonds maturing on or after May 1, 2022, are subject to redemption on or after May 1, 2021, at the option of the Board, in whole at any time or in part on any interest payment date, from any moneys available for such purpose, at par plus interest, if any, accrued to the date fixed for redemption.

In the event of such optional redem ption, the Boar d may direct the maturity or maturities of the Series 2011 Bonds and the amounts thereof to be redeemed, provided that the S eries 2011 Bonds will be redeemed in whole multiples of \$5,000 in principal amount and in the minimum principal amount of \$50,000.

Notice of any redemption of Series 2011 Bonds shall be given by the Registrar, on behalf of the Board, to registered owners of the Series 2011 Bonds to be redeemed at least thirty (30) and not more than sixty (60) days prior to the date fixed for redemption, by registered or certified mail, at the address appearing in the Bond Register or at such other address as is furnished in writing by the registered owner to the Registrar. Failure to receive such notice or any defect therein or in the mailing thereof shall not affect the validity of any proceedings for the redemption of the Series 2011 Bonds and failure to mail such notice shall not affect the validity of any such proceedings for any Bond with respect to which no such failure has occurred. Notice of redemption having been given in the manner described herein, and moneys necessary for their redemption of the Series 2011 Bonds having been deposited, the Series 2011 Bonds specified in such notice shall, on the date fixed for redemption, become due and payable and from and after such date (unless the Board shall def ault in the payment of the redemption price), such Series 2011 Bonds shall cease to bear interest.

Optional Term Bonds

Bidders have the option of specifying that the principal amount of the Series 2011 Bonds payable in any two or more consecutive years may, in lieu of maturing in each of such years, be combined into a term bond to mature in the final year of such consecutive serial maturities and be subject to mandatory sinking fund redemption at par in the amounts and in the years as shown in the maturity schedule set forth on the cover page of the Preliminary Official Statement and in this Official Notice of Sale.

Consecutive maturities combined by bidders to f orm term bonds shall be subject to m andatory sinking fund rede mption in part on each M ay 1, co mmencing with the first year of the cons ecutive maturities so combined, at the principal amount set forth in the maturity schedule on the cover page of the Preliminary Official Statement and in this Official Notice of Sale, plus accrued interest to the date fixed for redemption.

Insurance at Bidder's Option

If the Series 2011 Bonds qualify for issuance of any policy of municipal bond insurance or commitment thereof, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Series 2011 Bonds resulting by reason of such insurance, unless otherwise paid, shall be paid by such bidder. Any failure of the Series 2011 Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Series 2011 Bonds.

Terms of Sale

Bidders may only bid to purchase all of the Series 2011 Bonds. Each proposal must state the amount bid for the Series 2011 Bonds, not less than \$37,000,000 or greater than 103% of the par value of the Series 2011 Bonds, and must state in multiples of 1/20 or 1/8 of 1% the rates of interest per annum which the Series 2011 Bonds are to bear, but must not state:

- (a) any interest rate which is in excess of 6.75% per annum,
- (b) more than one interest rate for any Series 2011 Bonds having like maturity, and
- (c) any interest rate for Series 2011 Bonds which exceeds the interest rate stated in such proposal for any other Series 2011 Bonds by more than three percent (3%).

The right is reserved to reject any and all proposals not conforming to this Official Notice of Sale and, so far as permitted by law, to waive any irregularity or informality with respect to any proposal.

Award

The Board, from among the legally acceptable proposals which comply with this Official Notice of Sale, will select the bidder (herein called the "successful bidder") whose proposal offers to purchase all the Series 2011 Bonds at the lowest true interest cost ("TIC"). For the purpose of determining the successful bidder, the true interest cost (TIC) will be the annual interest rate based on a 360-day year or twelve-30 day months, compounded semiannually, which, when used to discount all payments of principal and interest payable on the Series 2011 Bonds to the date of delivery of the Bonds, results in an amount equal to the bid price for the Series 2011 Bonds. If there is more than one such proposal making such offer at the same lowest cost, the Series 2011 Bonds will be sold to the bidder whose proposal is selected by the Board by lot from among all such proposals making such offer at the lowest TIC.

The Board reserves the right to reject any or all bids and to reject any bid not complying with this Official Notice of Sale and, so far as permitted by law, to waive any irregularity or informality with respect to any bid.

Good Faith Deposit

A good faith deposit in the amount of \$740,000 (the "Good Faith Deposit") is required in connection with the sale of the Series 2011 Bonds. The Good Faith Deposit may be provided for by (i) a certified, bank cashier's, treasurer's or official check drawn upon or certified by a responsible banking institution and made payable to the order of the "The Board of Education of Hancock County, West Virginia", delivered at or prior to the time of bid, or (ii) a federal funds wire transfer to be submitted to the Board by the successful bidder not later than 3:00 P.M., Eastern St andard Time, on the D ate of Sale (the "Wire Trans fer Deadline") as set forth below under "Wire Transfers". The Good Faith Deposit of the successful bidder will be collected and the proceeds thereof retained by the Board to be applied in partial payment of the Series 2011 Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the successful bidder shall fail to comply with the term s of its bid, the proceeds thereof will be retained as and for full liquidated damages. Checks of unsuccessful bidders will be returned promptly after the Series 2011 Bonds are awarded to the successful bidder.

If the successf ul bidder chooses to deliver its G ood Faith Depos it by federal funds wire transf er, the Board will distribute wiring instructions for the Good Faith Deposit to the successful bidder upon verification of the bids submitted by the bi dders and prior to the Wire Transfer Deadline. If the Good Faith D eposit is not received by the Wire Transfer Deadline, the award of the sale of the Series 2011 Bonds to the successful bidder may be cancelled by the Board in its discretion without any financial liability of the Board to the successful bidder or any limitation whatsoever on the Board's right to sell the Series 2011 Bonds to a different purchaser upon such terms and conditions as the Board shall deem appropriate.

Certificate of Winning Bidder

The successful bidder will be required to provide to the Financi al Advisor by facsimile transmission to 304.346.1985 within one- half (½) hour after the verbal award of the Series 2011 Bonds the initial offering price/yields of the Series 2011 Bonds to the public (excluding bond houses and brokers). The successful bidder also must submit to the Board an underwriter's certificate in the form attached her eto as Exhibit A (the "Underwriter's Certificate"), the form of which has been approved by Bond Counsel, prior to the delivery of the Series 2011 Bonds. By submitting its bid, each bidder agrees that, if it is awarded the Series 2011 Bonds, it will either retain the Series 2011 Bonds as a long term investment for its own account or make a bona fide public offering of the Series 2011 Bonds of each maturity to the public after the award at an initial offering price as stipulated herein. It shall be a condition of the Board's obligation to deliver the Series 2011 Bonds that the successful bidder provide documentation as to its compliance with such requirements for purposes of the Internal Revenue Code of 1986, as amended, in form and substance satisfactory to Bond Counsel, in cluding but not limited to the Underwriter's Certificate.

Delivery of the Series 2011 Bonds

The Series 2011 Bonds will be delivered upon payment of the bal ance of the pur chase price in Federal Funds payable to the order of "The Board of Education of the County of Hancock, West Virginia". It is expected that the Series 2011 Bonds will be available for delivery to The Depository Trust Company in New York, New York, on or about March 10, 2011, on such business day and at such hour, as the Board may fix on five business days' notice to the successful bidder, or at such other place and time as may be agreed upon with the successful bidder.

Opinions of Bond Counsel

It will be a condition to the obligation of the successful bidder to accept delivery of and pay for the Series 2011 Bonds that prior to or contemporaneously with such delivery, the successful bidder will be furnished with the final approving opinion of Bowles Rice McD avid Graff & Love LLP, Charleston, West Virginia, Bond Counsel. The opinion of Bond Counsel will include an opinion that under existing laws, regulations, published rulings and judicial decisions of the United States of America, as presently written and applied, interest on the Series 2011 Bonds is not includable in gross income of the owners thereof for federal income tax purposes and that the Series 2011 Bonds are exempt from all taxation by the State of West Virginia or any political subdivision thereof. S aid opinion shall also contain further statements to the effect that the enforceability of rights or remedies with respect to the Series 2011 Bonds may be limited by bankruptcy, insolvency or other laws affecting creditors' rights or remedies heretofore or hereafter enacted.

It will be a f urther condition of delivery of any payment for the Series 2011 Bonds that t here also be delivered at such time certificates satisfactory to said B ond Counsel evidencing proper execution and delivery of the Series 2011 Bonds, including (i) a certificate dated the date of delivery of the Series 2011 Bonds, stating that there is no litigation pending or threatened affecting the validity of the Series 2011 Bonds, or wherein an adverse judgment or ruling could have a material adverse impact on the financial condition of the Boar d, or adversely affect the power of the Board to levy, collect and enforce the collection of taxes or other revenues for the payment of its Series 2011 Bonds, (ii) a certificate dated the date of delivery of the Series 2011 Bonds, of the President and Secretary of the Bo ard, to the effect that at the time of the s ale of the S eries 20 11 Bonds and at all times subsequent thereto up to and including the time of delivery of the Series 2011 Bonds, to the best of their knowledge, the Official Statement in final form and as of its d ate, did not contain any untrue statement of a material f act or om it to s tate any material f act necessary to make the s tatements therein, in light of the circumstances under which they were made, not misleading, and (iii) a tax and ar bitrage certificate executed on behalf of the Board which will include, am ong other things, covenants relating to compliance with the Internal Revenue Code of 1986, as amended (the "Code"), with the owners of the Series 2011 Bonds that the Board, will, among other things, (a) take all actions on its part necessary to cause interest on the Series 2011 Bonds not to be includable in the gross income of the owners thereoffor Federal income tax purposes, including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Series 2011 Bonds and i nvestment earnings thereon, making required playments to the Federal government, if any, and maintaining books and records in a special manner, where appro priate, and (b) refrain from taking any action which would cause interest on the Series 2011 Bonds to be includable in the gross income of the owners thereof for Federal i ncome tax purposes, incl uding, without li mitation, refraining from spending the pro ceeds of the Series 2011 Bonds and in vestment earnings thereon on certain specified purposes. The Series 2011 Bo nds will also bear the signed approval of the Attorney General of West Virginia to the effect that the Series 2011 Bonds are binding obligations of the Board and are incontestable.

Final Official Statement

Within seven (7) business days after the award of the Series 2011 Bonds to the successful bidder therefor, on the date of the sale, the Board, by its President, will authorize the delivery of its Official Statement, which is expected to be substantially in the form of the Preliminary Official Statement referred to below. The Preliminary Official Statement is deemed final by the Board for the purpose of Rule 15c2-12 of the Securities and Exchange Commission, subject to revision, amendment and completion in a final Official Statement. The Board will also issue any supplement or amendment to the Official Statement that may be ne cessary between the date of the Official Statement and the date of delivery of the Series 2011 Bonds. If requested and furnished to the Board in writing by the successful bidder at or before the close of business on the day of sale, the Board will include in the Official Statement such pricing and other information relating to the reoffering of the Series 2011 Bonds, if any, as may be so furnished. If no such information is furnished by the successful bidder, the Official Statement will include the interest rates on the Seri es 2011 Bonds resulting from the bid of the successful bidder and the other statements with respect to reoffering contained in the Preliminary Official Statement. Whether or not any such information is included in the Official Statement, the successful bidder shall be responsible to the Board and its officials in all respects for the accuracy, fairness and completeness of such information, and for all decisions made with respect to the use or omission of such information in any reoffering of the Series 2011 Bonds, including the presentation or exclusion of any such information in any documents, including the Official Statement. The Board reserves no r esponsibility or obligation for the distribution of the Official Statement to any one other t han the successful bidder. Within seven (7) business days after the award of the Series 2011 Bonds, the successful bidder will also be furnished, without cost, up to 125 copi es of the Of ficial St atement (and any a mendment or supplement thereto).

CUSIP

It is anticipated that CUSIP identification numbers will be printed on the Series 2011 Bonds, but neit her the failure to print such numbers on any Series 2011 Bonds nor any error with respect thereto shall constitute cause for failure or refusal by the pur chaser thereof to accept delivery of and p ay for the Series 2011 Bonds in accordance with terms of this Official Notice of Sale. All expenses in relation to the printing of CUSIP numbers on the Series 2011 Bonds shall be paid for by the Board. However, the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

By

: /s/ Suzan Smith

Superintendent, The Board of Education of the County of Hancock

DATE: February 10, 2011

EXHIBIT A

\$37,000,000 The Board of Education of the County of Hancock (West Virginia) Public School Bonds, Series 2011

CERTIFICATE OF UNDERWRITER

	(the "Und erwriter"), as und erwriters of the Seri es 2011 B onds identified ies 20 11 Bonds"), issu ed by The Board of Education of Hancock County, West Virginia (the on its knowledge regarding the sale of the Series 2011 Bonds, certifies as of this date as follows:
The fair market the Series 2011 \$ of 10% of each organizations as Price or a y ield purchased the S	All of the Series 2011 Bonds were offered to the general public in a bona fide public offering a prices higher than the principal amount of such Series 2011 B onds (the "Initial Offering Price") value of the Series 2011 Bonds is not in excess of the Initial Offering Price. The Issue Price of Bonds is \$ which consists of the principal amount of the Series 2011 Bonds of, [plus a Premium of \$]. A substantial amount of the Series 2011 Bonds (in excess h maturity) was sold to the puble ic (excluding bond houses, brokers or similar persons or string in the capacity of underwriters of wholesalers) at a price not higher than the Initial Offering and not low er than the yield's tated in paragraph 2 (c) of this Certificate. The U nderwriter has beries 2011 Bonds for its own account and not with a view to distribution or resale and not in the and house, broker or other intermediary.
	For purposes of the I nformation Return required by Section 149(e) of the C ode to be filed in the Series 2011 Bonds:
(a)	The Issue Price of the Series 2011 Bonds is \$
(b)	The weighted average maturity of the Series 2011 Bonds is years.
(c)	The yield on the Series 2011 Bonds is%.
(d)	The CUSIP Number assigned to the final maturity of the Series 2011 Bonds is
3. yields for the Se	Aggregate total compensation to the Underwriter of \$ based on the prices of \$
experience with and, as to (b) be	At the Issuer's direction, based upon our participation in the transaction and our knowledge and bond insurance (in which the credit enhancer has no involvement other than as a credit enhancer) clow, based on es timates by the Underwriter of the likely Yields at which such obligations may absence of the bond insurance:
(a)	The premium paid for the Bond Insurance on the Series 2011 Bonds does not exceed a reasonable charge for the transfer of credit risk, taking into account charges by credit enhancers in similar transactions with which the Underwriter is familiar.
(b)	The present value of the premium paid for the Bond Insurance is less than the present value of the interest reasonably expected to be saved on the Series 2011 Bonds as a result of the Bond Insurance, for which purpose present value is computed by using the yield-to-maturity (or prior optional redemption date, if applicable) of the Series 2011 Bonds (taking into account both the premium paid for the Bond Insurance) as the discount rate.

6.	None of the Ser	ies 2011 Bonds	s interest at an increasing i	nterest rate.
	capitalized terms no ge Certificate.	t defined in this	tificate have the respective	meanings set forth in the Ta
the Underwije by the Issue completing	iter. The Underwrit in making cert a and filing the Inform	ter understands to in of their repre- mation Return for	the certifications contained tatio ns in the Tax and	ecute and deliver this Certifi I in this Certificate will be re Non-Arbitrage Certif icate a by Bowles Rice McDavid C
Love LLP, a Series 2011	s Bond Counsel, in Bonds.	render ing cert	of its le gal opinions in co	nnection with the issuance
	s Bond Counsel, in	render ing cert	of its le gal opinions in co	nnection with the issuance
	s Bond Counsel, in Bonds.	render ing cert	of its le gal opinions in co	nnection with the issuance

OFFICIAL FORM OF PROPOSAL

Ms. Suzan Smith, Superintendent The Board of Education of the County of Hancock, West Virginia

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\111	nerint	endent:
υu		onaom.

Maturing (May 1)	Principal Amount (\$)	Interest Rate (%)	Serial/ Term	Maturing (May 1)	Principal Amount (\$)	Interest Rate (%)	Serial/ Term
2012 5	95,000	umakannaan oo	C C C C C C C C C C C C C C C C C C C	2025	1,480,000		onormen periodo de calabrica do como de calabrica de cala
2013	865,000			2026	1,545,000		
2014	900,000			2027	1,620,000		
2015	945,000			2028	1,695,000		
2016	985,000			2029	1,770,000		
2017	1,030,000			2030	1,850,000		
2018	1,080,000			2031	1,935,000		
2019	1,130,000			2032	2,025,000		
2020 1	,180,000	osoo Tirrorramiisaan seen umaana sa sa kalee ka	un o o wakentus ena	2033	2,120,000		en course ministration consistence
2021	1,235,000	<u></u>		2034	2,215,000		
2022 1	,290,000		-	2035	2,320,000		ensanta en la companya en la company
2023	1,350,000			2036	2,425,000	<u> </u>	
2024 1	,415,000						

Please check one of the following:

 □ One or more certified or cashier's checks of and payable unconditionally to the order of for \$740,000 which check is to be applied if will wire funds in the amount of \$740,000 	of "The Board of Education of the accordance with said Official"	he County of Hancock" Notice of Sale.
Name of Bidder:		,
Ву:		
Telepho ne:		
(No addition or alteration, except as provided a of syndicate members, as applicable.)	bove, is to be made to this bid.	Please attach a list
The foregoing proposal is hereby accepted this	day of	, 2011
Ву:	, The Board of Education	of the County of Hancock
The following is included for informational purposes of	only and is not a part of the bid:	
True Interest Cost (Computed in accordance with	the Official Notice of Sale)	%
Return of the check mentioned in the above propo	osal to the above named bidder i	s hereby acknowledged.
Rv		



Hancock Co BOE \$37,000,000 Public School Bonds, Series 2011

Wells Fargo Bank, National Association - Charlotte, NC	J.P. Morgan Securities LLC - New York, NY	Southwest Securities, Inc North Palm Beach, FL
Maturity Amount Coupon	Maturity Amount Coupon	Maturity Amount Coupon
05/01/2012 595M 3.0000	05/01/2012 595M 2.0000	05/01/2012 595M 2.0000
05/01/2013 865M 3.0000	05/01/2013 865M 3.0000	05/01/2013 865M 2.0000
05/01/2014 900M 3.0000	05/01/2014 900M 3.0000	05/01/2014 900M 3.0000
05/01/2015 945M 3.0000	05/01/2015 945M 3.0000	05/01/2015 945M 3.0000
05/01/2016 985M 3.0000	05/01/2016 985M 3.0000	05/01/2016 985M 3.0000
05/01/2017 1,030M 3.0000	05/01/2017 1,030M 4.0000	05/01/2017 1,030M 4.0000
05/01/2018 1,080M 3.0000	05/01/2018 1,080M 4.0000	05/01/2018 1,080M 4.0000
05/01/2019 1,130M 5.0000	05/01/2019 1,130M 5.0000	05/01/2019 1,130M 4.0000
05/01/2020 1,180M 3.0000	05/01/2020 1,180M 5.0000	05/01/2020 1,180M 4.0000
05/01/2021 1,235M 3.2500	05/01/2021 1,235M 5.0000	05/01/2021 1,235M 4.0000
05/01/2022 1,290M 5.0000	05/01/2022 1,290M 4.0000	05/01/2022 1,290M 5.0000
05/01/2023 1,350M 5.0000	05/01/2023 1,350M 4.0000	05/01/2023 1,350M 5.0000
05/01/2024 1,415M 5.0000	05/01/2024 1,415M 4.0000	05/01/2024 1,415M 5.0000
05/01/2025 1,480M 4.0000	05/01/2025 1,480M 4.0000	05/01/2025 1,480M 5.0000
05/01/2026 1,545M 4.0000	05/01/2026 1,545M 5.0000	05/01/2026 1,545M 5.0000
05/01/2027 1,620M 4.0000	05/01/2027 1,620M 4.2500	05/01/2027 1,620M 5.0000
05/01/2028 1,695M 4.2500	05/01/2028 1,695M 4.3750	05/01/2028 1,695M 5.0000
05/01/2029 1,770M 4.2500	05/01/2029 1,770M 4.6250	05/01/2029 1,770M 5.0000
05/01/2030 1,850M 4.3750	05/01/2030 1,850M 5.0000	05/01/2030 1,850M 5.0000
05/01/2031	05/01/2031	05/01/2031 1,935M 5.0000
05/01/2032 3,960M 4.5000	05/01/2032 3,960M 5.0000	05/01/2032
05/01/2033	05/01/2033	05/01/2033 4,145M 5.0000
05/01/2034 4,335M 4.5000	05/01/2034	05/01/2034
05/01/2035	05/01/2035	05/01/2035
05/01/2036 4,745M 4.7500	05/01/2036 9,080M 5.0000	05/01/2036 6,960M 5.0000
TIC 4.340477	TIC 4.391920	TIC 4.439259
Purchase Price\$37,006,007.45		Purchase Price\$38,521,286.74
Robert W. Baird & Co., Inc Red Bank, NJ	BMO Capital Markets - Chicago. IL	Banc of America Merrill Lynch - New York, NY
Maturity Amount Coupon	Maturity Amount Coupon	Maturity Amount Coupon
05/01/2012 595M 3.0000	05/01/2012 595M 2.0000	05/01/2012 595M 2.0000
05/01/2013 865M 2.0000	05/01/2013 865M 2.0000	05/01/2013 865M 3.0000
05/01/2014 900M 2.0000	05/01/2014 900M 2.0000	05/01/2014 900M 3.0000
05/01/2015 945M 2.0000	05/01/2015 945M 3.7500	05/01/2015 945M 3.0000
05/01/2016 985M 2.5000	05/01/2016 985M 2.5000	05/01/2016 985M 3.0000
05/01/2017 1,030M 3.0000	05/01/2017 1,030M 3.0000	05/01/2017 1,030M 5.0000
05/01/2018 1,080M 3.0000	05/01/2018 1,080M 3.2500	05/01/2018 1,080M 5.0000
05/01/2019 1,130M 4.0000	05/01/2019 1,130M 3.5000	05/01/2019 1,130M 5.0000

05/01/2020	1,180M	4.0000
05/01/2021	1,235M	5.0000
05/01/2022	1,290M	5.0000
05/01/2023	1,350M	5.0000
05/01/2024	1,415M	5.0000
05/01/2025	1,480M	5.0000
05/01/2026	1,545M	4.2000
05/01/2027	1,620M	4.2500
05/01/2028	1,695M	4.2500
05/01/2029	1,770M	4.3750
05/01/2030	1,850M	4.5000
05/01/2031	1,935M	4.5000
05/01/2032	_	
05/01/2033		
05/01/2034		
05/01/2035		
05/01/2036	11,105M	5.0000

TIC	4.453843
Purchase	Price\$37,556,613.83

<u>Hutchinson</u>	, Shockey,	Erley & Co	0
Chicago, IL		y	

Maturity	Amount	Coupon
05/01/2012	595M	2.0000
05/01/2013	865M	2.0000
05/01/2014	900M	2.0000
05/01/2015	945M	2.0000
05/01/2016	985M	3.0000
05/01/2017	1,030M	3.0000
05/01/2018	1,080M	3.0000
05/01/2019	1,130M	3.0000
05/01/2020	1,180M	5.0000
05/01/2021	1,235M	5.0000
05/01/2022	1,290M	5.0000
05/01/2023	1,350M	5.0000
05/01/2024	1,415M	5.0000
05/01/2025	1,480M	5.0000
05/01/2026	1,545M	5.0000
05/01/2027	1,620M	4.5000
05/01/2028	1,695M	5.0000
05/01/2029		
05/01/2030	3,620M	5.0000
05/01/2031		
05/01/203 2		
05/01/2033	6,080M	4.7500

05/01/2020	1,180M	4.0000
05/01/2021	1,235M	4.0000
05/01/2022	1,290M	4.2500
05/01/2023	1,350M	4.5000
05/01/2024	1,415M	4.5000
05/01/2025	1,480M	5.0000
05/01/2026	1,545M	5.0000
05/01/2027	1,620M	5.0000
05/01/2028	1,695M	5.0000
05/01/2029	1,770M	5.0000
05/01/2030	1,850M	5.0000
05/01/2031	1,935M	5.0000
05/01/2032	2,025M	5.0000
05/01/2033	2,120M	5.0000
05/01/2034	2,215M	5.0000
05/01/2035	2,320M	5.0000
05/01/2036	2,425M	5.0000

TIC		4.459711		
Durchaga	Dring\$20	0E7	EC0	44

05/01/2020	1,180M	5.0000
05/01/2021	1,235M	5.0000
05/01/2022	1,290M	5.0000
05/01/2023	1,350M	5.0000
05/01/2024	1,415M	5.0000
05/01/2025	1,480M	5.0000
05/01/2026	1,545M	5.0000
05/01/2027	1,620M	5.0000
05/01/2028	1,695M	5.0000
05/01/2029	1,770M	5.0000
05/01/2030	1,850M	5.0000
05/01/2031	1,935M	5.0000
05/01/2032		
05/01/2033		
05/01/2034		
05/01/2035		
05/01/2036	11,105M	5.0000

TIC 4.609289 Purchase Price\$38,238,791.53

05/01/2034		
05/01/2035		
05/01/2036	6,960M	5.0000

TIC

4.724465

Purchase Price\$37,024,465.45

The Depository Trust Company A subsidiary of the Depository Trust & Clearing Corporation

BLANKET ISSUER LETTER OF REPRESENTATIONS (To be completed by Issuer and Co-Issuer(s), if applicable)

The Board of Education of the	e County of Hantock [west virginia] nd Co-Issuer(s), if applicable)
(Name of Issuer a	January 18, 2011
•	(Date)
Attention: Underwriting Department The Depository Trust Company 55 Water Street, 1SL New York, NY 10041-0099	
Ladies and Gentlemen:	
Issuer shall request to be made eligible for d	ng with respect to all issues (the "Securities") that leposit by The Depository Trust Company ("DTC").
Issuer is: (Note: Issuer shall represent one a	nd cross out the other.)
{incorporated in} formed under the laws of	West Virginia
4 '-1 YMYOU Delles with someon	urities as eligible for deposit at DTC, and to act is to the Securities, Issuer represents to DTC that issuen DTC's Operational Arrangements, as they may be Very truly yours,
Note: Schedule A contains statements that DTC believes accurately describe DTC, the method of effecting book-entry transfers of securities distributed through DTC, and certain related matters.	The Board of Education of the County of Hancock [West Virginia] (Issuer) By: (Authorized Officer's Signature)
Received and Accepted THE DEPOSITORY TRUST COMPANY	Suzan L. Smith (Print Name) 104 North Court Street
By: Jeanne Warre	(Street Address) New Cumberland, West Virginia, USA, 26047
	(City) (State) (Country) (Zip Code)
DTCC.	304.564.3411
The Boundation Triest &	(Phone Number)
The Depository Trust & Clearing Corporation	szsmith@access.k12.wv.us
	(E-mail Address)

The Depository Trust Company A subsidiary of the Depository Trust & Clearing Corporation

Additional Signature Page to BLANKET ISSUER LETTER OF REPRESENTATIONS For use with Co-Issuers

	(Name of Issuer and Co-Issuer(s), if applicable)					
_				entations dated as of		
Co-Issu	i er agrees te	and shall be b	ound by all '	' Issuer'' representations.		
	Æ	o-Issuer)		·		
Ву:	/Aush prized d	Officer's Signature)				
	(Aumonzeu	Sincer's Signature)				
	(Pr	int-Name)				
	(Stre	eet Address)				
(City)	(State)	(Country)	(Zip Code)			
	(Pho	ne Number)				
	(E-m	nail Address)				

SAMPLE OFFERING DOCUMENT LANGUAGE DESCRIBING BOOK-ENTRY-ONLY ISSUANCE

(Prepared by DTC--bracketed material may be applicable only to certain issues)

- 1. The Depository Trust Company ("DTC"), New York, NY, will act as securities depository for the securities (the "Securities"). The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Security certificate will be issued for [each issue of] the Securities, [each] in the aggregate principal amount of such issue, and will be deposited with DTC. [If, however, the aggregate principal amount of [any] issue exceeds \$500 million, one certificate will be issued with respect to each \$500 million of principal amount, and an additional certificate will be issued with respect to any remaining principal amount of such issue.]
- DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency"reg istered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants'acc ounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has Standard & Poor's highest rating: AAA. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com and www.dtc.org.
- 3. Purchases of Securities under the DTC system must be made by or through Direct Participants, which will receive a credit for the Securities on DTC's records. The ownership interest of each actual purchaser of each Security ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Securities are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Securities, except in the event that use of the book-entry system for the Securities is discontinued.
- 4. To facilitate subsequent transfers, all Securities deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Securities with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Securities; DTC's records reflect only the identity of the Direct Participants to whose accounts such Securities are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

- Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. [Beneficial Owners of Securities may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Securities, such as redemptions, tenders, defaults, and proposed amendments to the Security documents. For example, Beneficial Owners of Securities may wish to ascertain that the nominee holding the Securities for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.]
- [6. Redemption notices shall be sent to DTC. If less than all of the Securities within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.]
- 7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Securities unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to Issuer as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Securities are credited on the record date (identified in a listing attached to the Omnibus Proxy).
- 8. Redemption proceeds, distributions, and dividend payments on the Securities will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from Issuer or Agent, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, Agent, or Issuer, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of Issuer or Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of DTC, and Indirect Participants.
- [9. A Beneficial Owner shall give notice to elect to have its Securities purchased or tendered, through its Participant, to [Tender/Remarketing] Agent, and shall effect delivery of such Securities by causing the Direct Participant to transfer the Participant's interest in the Securities, on DTC's records, to [Tender/Remarketing] Agent. The requirement for physical delivery of Securities in connection with an optional tender or a mandatory purchase will be deemed satisfied when the ownership rights in the Securities are transferred by Direct Participants on DTC's records and followed by a book-entry credit of tendered Securities to [Tender/Remarketing] Agent's DTC account.]
- 10. DTC may discontinue providing its services as depository with respect to the Securities at any time by giving reasonable notice to Issuer or Agent. Under such circumstances, in the event that a successor depository is not obtained, Security certificates are required to be printed and delivered.
- 11. Issuer may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Security certificates will be printed and delivered to DTC.
- 12. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that Issuer believes to be reliable, but Issuer takes no responsibility for the accuracy thereof.



STATE TREASURER

DANNY ELLIS Assistant State Treasurer

State of West Virginia

OFFICE OF THE STATE TREASURER CHARLESTON, WV 25305

> 1-800-422-7498 304-558-5000 FAX: 304-558-4097 www.wytreasury.com

January 11, 2011

RECEIVED JAN 1 4 2011

Ms. Marie L. Prezioso, Director Raymond James & Associates, Inc. 500 Lee Street, East Suite 530, Laidley Tower Charleston, West Virginia 25301

Re:

The Board of Education of the County of Hancock, West Virginia, Public School

Bonds, Series 2011

Dear Ms. Prezioso:

Pursuant to your request, I hereby designate WesBanco Bank, Inc., Wheeling, West Virginia, to serve as Registrar and the West Virginia Municipal Bond Commission to serve as Paying Agent for the above-named issue.

If there are any questions concerning this designation, feel free to contact me.

Sincerely,

John D. Perdue State Treasurer

JDP:ba

REGISTRAR'S AGREEMENT

THIS REGISTRAR'S AGREEMENT, dated as of the 10th day of March, 2011, by and between THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK, the governing body of the Hancock County School District, a public school district of the State of West Virginia (the "Issuer"), and WESBANCO BANK, INC. Wheeling, West Virginia, a state banking corporation (the "Registrar").

WHEREAS, the Issuer has, contemporaneously with the execution hereof, issued and sold its \$37,000,000 aggregate principal amount of Public School Bonds, Series 2011, in fully registered form (the "Bonds"), pursuant to a Resolution and Order adopted November 29, 2010, as modified on February 24, 2011 (the "Resolution");

WHEREAS, capitalized words and terms used in this Registrar's Agreement and not otherwise defined herein shall have the respective meanings given them in the Resolution, a copy of which is attached as Exhibit A hereto and incorporated herein by reference;

WHEREAS, the Resolution provides for an appointment by the Issuer of a Registrar and a Paying Agent for the Bonds; and

WHEREAS, the Issuer desires to appoint, and by the Resolution and this Registrar's Agreement does appoint, the Registrar to act as Registrar under the Resolution and to take certain other actions hereinafter set forth.

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

Upon the execution of this Registrar's Agreement by the Issuer and the Registrar and during the term hereof, the Registrar does accept and shall have and carry out the powers and duties of the Registrar, all as set forth in the Resolution, such duties including, among other things, the duties to authenticate, register and deliver Bonds upon original issuance and when properly presented for exchange or transfer, and shall do so with the intention of maintaining the exemption of interest on the Bonds from federal income taxation, in accordance with any rules and regulations promulgated by the United States Treasury Department or by the Municipal Securities Rulemaking Board or similar regulatory bodies as the Issuer advises it of and with generally accepted industry standards.

The Registrar agrees to furnish the Issuer with appropriate records of all transactions carried out by it as Registrar and to furnish the Issuer with the names and specimen signatures of the Registrar's authorized officers for the purposes of acting as the Registrar and with such other information and reports as the Issuer may from time to time reasonably require.

The Registrar shall have no responsibility or liability for any action taken by it at the specific direction of the Issuer and the Registrar shall be fully indemnified and held harmless by the Issuer for any claims against Registrar as a result of the Registrar's following the directions of the Issuer.

As compensation for acting as Registrar pursuant to this Registrar's Agreement, the Issuer hereby agrees to pay to the Registrar, from time to time, the compensation for services rendered as provided in the annexed schedule and reimbursement for reasonable expenses incurred in connection therewith.

It is intended that this Registrar's Agreement shall carry out and implement provisions of the Resolution with respect to the Registrar. In the event of any conflict between the terms of this Registrar's Agreement and the Resolution the terms of the Resolution shall govern.

The Issuer and the Registrar each warrants and represents that it is duly authorized and empowered to execute and enter into this Registrar's Agreement and that neither such execution nor the performance of its duties hereunder or under the Resolution will violate any order, decree or agreement to which it is a party or by which it is bound.

This Registrar's Agreement may be terminated by either party upon sixty (60) days' written notice sent by registered or certified mail to the other party, at the following respective addresses:

ISSUER:

The Board of Education

of Hancock County Post Office Box 1300

New Cumberland, West Virginia 26047-9521

Attention: Director of Finance

REGISTRAR:

WesBanco Bank, Inc.

1 Bank Plaza

Wheeling, West Virginia 26003-3543 Attention: Corporate Trust Department

The Registrar is hereby requested and authorized to authenticate and deliver the Bonds in accordance with instructions provided by the Purchaser thereof.

[Balance of Page Intentionally Left Blank.]

IN WITNESS WHEREOF, THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK and WESBANCO BANK, INC., a West Virginia state banking corporation, have respectively caused this Registrar's Agreement to be signed in their names and on their behalf, all as of the day and year first above-written.

THE BOARD OF EDUCATION OF THE COUNTY OF HANCOCK

By:

Gerald Durante

Its:

President

WESBANCO BANK, INC.

By:

s: Vice Presiden

[Signature Page to Registrar's Agreement - Hancock County]

WEST VIRGINIA MUNICIPAL BOND COMMISISON

Suite 401 1207 Quarrier Street, Charleston, WV 25301 NEW ISSUE REPORT FORM

Date of Report: 02/25/2011

(304) 558-3971 FAX: 558-1280

ISSUE: The Board of Education of the County of Hancock	, Public School Bonds, Series 2011	
ADDRESS: Post Office Box 1300, New Cumberland, West Virg	ginia 26047-9521	COUNTY: Hancock
PURPOSE OF ISSUE: New Money X	-	
Refunding	_ Refunds issue(s) dated:	N/A
ISSUE DATE: March 10, 2011	_ CLOSING DATE:	March 10, 2011
ISSUE AMOUNT: \$37,000,000	RATE: (TIC) 4.3404768%	and the second s
1st DEBT SERVICE DUE: November 1, 2011	1st PRINCIPAL DUE:	May 1, 2012
1st DEBT SERVICE AMOUNT: \$987,813.75	PAYING AGENT:	MBC
BOND COUNSEL: Bowles Rice McDavid Graff & Love LLP	UNDERWRITERS COUNSEL	N/A
Contact Person: Edd McDevitt	Contact Person:	
Phone: (304) 347-1711	Phone:	
CLOSING BANK: WesBanco Bank, Inc.	ESCROW TRUSTEE:	N/A
Contact Person: Janet Shelburne	Contact Person:	
Phone: 304.234.9000	Phone:	
KNOWLEDGEABLE ISSUER CONTACT:	OTHER:	FA: Raymond James
Contact Person: Joseph Campinelli	_ Contact Person:	Marie Prezioso
Position: Director of Finance	Position:	Director
Phone: 304.564.3411 - ext. 5	_ Phone:	304.346.1984
Email: jcampinelli@access.k12.wv.us	·	
DEPOSITS TO MBC AT CLOSE:	Accrued Interest:	\$ -0-
ByWire	Capitalized Interest:	\$ -0-
Check	Reserve Account:	\$ -0-
In-house Transfer	Other:	\$ -0-
REFUNDS & TRANSFERS BY MBC AT CLOSE: None.		
ByWire	To Escrow Trustee:	\$ -0-
Check	To Issuer:	\$ -0-
IGT	To Cons.Invest Fund	\$ -0-
	To Other:	\$ -0-
NOTES:		
FOR MUNICIPAL BOND COMMISSION USE ONLY: Documents Required: Transfers Required:		



I, Natalie E. Tennant, Secretary of State of the State of West Virginia, hereby certify that

THIS IS A TRUE COPY OF CHAPTER 13, ARTICLE 1 OF THE WEST VIRGINIA CODE, AND CHAPTER 13, ARTICLE 1 OF THE 2010 SUPPLEMENT TO THE WEST VIRGINIA CODE, AS INDICATED BY THE RECORDS OF THIS OFFICE.



Given under my hand and the Great Seal of the State of West Virginia on March 7, 2011

Mitali Element
Secretary of State

ARTICLE 1

BOND ISSUES FOR ORIGINAL INDEBTEDNESS

Section 13-1-1. Political divisions authorized to issue and sell bonds. 13-1-1a. Exemption from interest rate ceilings. 13-1-2. Purposes for which bonds may be issued. 13-1-3. Amount and purpose of indebtedness for which bonds may be issued. 13-1-4. Bond issue proposal to be submitted to voters; election order. 13-1-5. Engineer's estimate.	or general
13-1-1a. Exemption from interest rate ceilings. 13-1-2. Purposes for which bonds may be issued. 13-1-3. Amount and purpose of indebtedness for which bonds may be issue 13-1-4. Bond issue proposal to be submitted to voters; election order. 13-1-5. Engineer's estimate.	or general
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13-1-5. Engineer's estimate.	
13-1-5. Engineer's estimate.	
13-1-6. Bonds may be specified for more than one purpose; single o purpose defined.	used tor
13-1-6a. When proceeds of bond issue specified for one project may be another project.	
13-1-7. When election to be held.	
13-1-8. Publication of notice of election.	
13–1–9. Registration of voters.	
13-1-10. Election precincts.	
13-1-11. General election laws to apply; recorders and secretaries to act circuit clerks.	in lieu of
13–1–12. Form of ballot.	
13-1-13. Time and manner of canvassing returns.	
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	onstitution.
and statutes: effect thereof with attorney general's indorsement.	. · · · · · · · · · · · · · · · · · · ·
13-1-17. Bonds may be registered; coupon bonds may be registered as to	principal.
13=1-18. Registration of coupon bonds as to interest; exchange of registered coupon bond.	d bond for
13-1-19. Signing, sealing and delivery of bonds and coupons.	
13-1-20. Imposition and collection of tax to pay bonds and interest.	:
13_1_1_1 Advertisement and sale of bonds.	i,
13-1-22. Purposes for which proceeds to be used; purchaser need not see t	o applica-
tion thereof.	
13–1–23. No law, order, ordinance, resolution, proceeding or publication except as prescribed by this article.	necessary
13-1-24 Legal status of bonds.	
13-1-25. Copy of proceedings to be transmitted to attorney general for ap disapproval; publication of approval or disapproval.	oproval or
13-1-26 Review in supreme court of appeals of action of attorney general.	
13-1-27. Bond issue and tax to pay bonds to be incontestable upon failupetition for review or dismissal thereof.	ure to file
13-1-28. Indorsement on bonds by attorney general.	
13-1-29. Costs of proceedings and expenses of attorney general to be pa	aid out of
proceeds of bonds or general fund.	
13-1-30. Files and records to be kept by attorney general.	Lta hamata
13-1-31. Proceedings to issue bonds under authority of prior statutes; def fore incurred.	
13-1-32. Amount of indebtedness authorized by § 13-1-3 may be increased act as to municipalities and independent school districts; assessments against abutting property excepted from this article.	bonds for
13–1–33. Bonds exempt from taxation.	

Section 13-1-34. Bonded indebtedness of school districts; annual tax to be levied and

collected to pay same; definition of value.

Bonded indebtedness of counties, magisterial districts and municipal corpo-13-1-35. rations; levy and collection of taxes to pay same.

§ 13-1-1. Political divisions authorized to issue and sell bonds

Any county, by and through its county court, either for and on behalf of the county or for and on behalf of any magisterial district, or group of magisterial districts therein; any municipal corporation, by and through its council or other governing body in lieu thereof; or any school district, or any independent school district, by and through its board of education or other fiscal body in lieu thereof, may issue and sell its bonds, in the manner and subject to the limitations and conditions hereinafter contained in this article.

Acts 1923, c. 14, § 1.

W.Va. Const., art. IX, § 9, redesignated the office of the county court as county commission.

Library References

Key Numbers

Counties €=173.

Municipal Corporations \$\infty906.

Schools \$=97(1).

Westlaw Key Number Searches: 104k173; 268k906; 345k97(1).

Encyclopedias

C.J.S. Municipal Corporations §§ 1645 to 1646, 1702.

C.J.S. Schools and School Districts §§ 522, 524, 527 to 529, 531.

Notes of Decisions

Mandamus 2 Municipal powers and duties

1. Municipal powers and duties

City council would be justified in refusing to submit bond issue ordinance to voters under general state law where petition did not comply with statute inasmuch as no specification of amount of bonds to be issued and voted upon was contained in petition, which described amount only in terms of difference between cost of project and other funds available. Code, 13-1-1 et seq. State ex rel. Horne v. Adams, 1970, 175 S.E.2d 193, 154 W.Va. 269. Municipal Corporations 🖘 918(2)

Statute authorizing taxing unit to issue bonds for governmental purposes pursuant to local popular vote held not repealed by statute allocating approximately 30 per cent. of direct levies authorized under constitutional tax limitation amendment to governmental bonded indebtedness created prior thereto, and approximately 70 per cent. thereof to

Code 1931, current government expenses. Current government expenses. Code 1931, 13-1-1 et seq.; Acts 1933, 2d Ex.Sess., c. 67; Const. art. 10, § 8; art. 10, § 1, amended (see Acts 1932, Ex.Sess., c. 10). Walker v. City of Charleston, 1935, 182 S.E. 766, 116 W.Va. 645. Municipal Corporations 907

Municipality may issue bonds for governmental purposes pursuant to popular vote, notwithstanding constitutional tax limitation amendment. Code 1931, 13-1-1 et seq; Const. art. 10, § 8; art. 10 § 1, amended (see Acts 1932, Ex.Sess., c. 10). Walker v. City of Charleston, 1935, 182 S.E. 766, 116 W.Va. 645. Municipal Corporations = 918(1)

Mandamus

Petitioners who, by petition designated as one under city charter, sought submission of bond issue question to election were not entitled to mandamus to compel submission in accordance with initiative provision of general state law. Code, 13-1-1 et seq., 13-1-4. State ex rel. Horne v. Adams, 1970, 175 S.E.2d 193, 154 W.Va. 269. Mandamus 🖘 74(2)

§ 13-1-1a. Exemption from interest rate ceilings

Notwithstanding any other provision in this Code to the contrary, any municipality, county or state agency shall be free of interest rate restrictions when obtaining loans from the farmers home administration, housing and urban development and the economic development authority where such loans are made from federal moneys and are made for public projects. It is the intention of the legislature that the political subdivisions of this State take maximum possible advantage of federal programs and financing alternatives where such would be in the best interests of this State.

Acts 1982, c. 93.

§ 13-1-2. Purposes for which bonds may be issued

Debt may be incurred and bonds issued under this article for the purpose of acquiring, constructing and erecting, enlarging, extending, reconstructing or improving any building, work, utility or undertaking, or for furnishing, equipping and acquiring or procuring the necessary apparatus for any building, work, improvement or department, or for establishing and maintaining a library or museum for the public use, or a building or structure for educational purposes, or acquiring a recreation park for the public use, or for acquiring, constructing, furnishing, equipping and maintaining civic arenas, auditoriums, exhibition halls and theaters, or for other similar corporate purpose, for which the political division is authorized to levy taxes or expend public money. But no bonds shall be issued for the purpose of providing funds for the current expenses of any body or political division. Interest accruing during the construction period, that is to say, the time when an improvement is under construction and six months thereafter, shall be deemed a part of the cost of the improvement, and shall not be deemed current expenses. All engineering and inspection costs, including a proper proportion of the compensation, salaries and expenses of the engineering staff of the political division properly charge able to any work or improvements, as determined by the governing body, or the estimated amount of such costs, shall be deemed part of the cost of an improvement. All costs and estimated costs of the issuance of bonds shall be deemed a part of the cost of the work or improvement, or of the property, or of the carrying out of the purposes for which such bonds are to be issued. The power to acquire or construct any building, work or improvement as herein provided shall be deemed to include the power to acquire the necessary lands, sites and rights-of-way therefor.

Bonds may also be issued by any municipality having a population of fifty thousand or more or by any county for the purpose of acquiring land and constructing a building or buildings for use and occupancy as a college. The proposal for such a bond issue shall contain a provision that there shall be created a commission or committee for the purpose of operating the building or buildings and for renting the same for an amount sufficient to pay the interest and sinking fund on the bonds proposed to be issued, and shall contain a further provision that in the event a sufficient amount is not realized from rent or rents for the purpose of meeting the debt service, then the city or county shall lay a levy for such purpose in an amount sufficient within the constitutional and statutory limitation to pay the interest and principal on such bonds as the same become due and payable. The proposal may also contain a provision 150

that when the bonds and the interest thereon shall have been paid, then the title to the land and the building or buildings situated thereon may be transferred to the college to which the same have been rented.

Acts 1923, c. 14, § 2; Acts 1941, c. 8; Acts 1945, c. 17; Acts 1974, c. 8.

Library References

Key Numbers

Counties \$\inspec\$173.2 to 175.

Municipal Corporations \$\inspec\$910 to 913.

Schools \$\inspec\$97.

Westlaw Key Number Searches: 104k173.2 to 104k175; 268k910 to 268k913; 345k97.

Encyclopedias

C.J.S. Counties §§ 218, 220.

C.J.S. Municipal Corporations §§ 1647 to 1651, 1653.

C.J.S. Schools and School Districts §§ 522 to 524, 527 to 529.

Notes of Decisions

In general 1 Mandamus 3 Public purpose 2

1. In general

Under Acts 1905, c. 51, Code 1913, c. 47A, § 1 (section 2495), a county court cannot issue bonds payable or redeemable out of taxes to be raised from persons and property of a magisterial district in excess of 2½ per cent. of the assessed value of the taxable property in such district. Pfalzgraf v. Wood County Court, 1914, 81 S.E. 397, 73 W.Va. 723. Counties \$\infty\$ 150(1) Acts 1911, c. 38, § 25a, Code 1913, c. 43, § 56a (section 1793), authorizing the issuance of bonds for road improvement, does not impliedly repeal the limitation imposed by Acts 1905, c. 51, Code 1913, c. 47A, § 1 (section 2495). Pfalzgraf v. Wood County Court, 1914, 81 S.E. 397, 73 W.Va. 723. Counties \$\infty\$ 150(1)

An issue of magisterial district bonds under Acts 1911, c. 38, § 25a, not solely for the construction of roads in the district, but largely for the construction or purchase of bridges therein, exceeding five feet in length, is illegal and void.

Hedrick v. Summers County Court, 1913, 77 S.E. 359, 71 W.Va. 732. Bridges № 11

2. Public purpose

A town cannot constitutionally be authorized to issue bonds to be paid by taxation and donate them in aid of a manufacturing and mining enterprise; that not being a municipal or public purpose. Ohio Valley Iron Works v. Town of Moundsville, 1877, 11 W.Va. 1. Municipal Corporations \$\infty\$ 910

3. Mandamus

Mandamus to require county court to reimburse road bond fund, depleted by illegal expenditures, out of funds thereafter to be raised, will be denied (Barnes' Code 1923, c. 28A, § 12). State v. County Court of Lincoln County, 1928, 141 S.E. 874, 105 W.Va. 235. Mandamus \$\infty\$ 16(1)

A mandamus nisi, sued out to compel the levy of a tax for the payment of an unauthorized issue of bonds by a town, should be dismissed. Ohio Valley Iron Works v. Town of Moundsville, 1877, 11 W.Va. 1. Mandamus \$\infty\$ 112.1

§ 13-1-3. Amount and purpose of indebtedness for which bonds may be

No political division authorized by this article to issue bonds, except county boards of education, shall by any bond issue, become indebted to an amount, including all other indebtedness, exceeding two and one-half percent of the value of the taxable property therein, as shown by the last assessment thereof, for state and county purposes, next prior to the issuing of such bonds: Provided, that any county for the erection and equipment of a courthouse and/or jail for such county, with funds borrowed from the government of the United States or any governmental agency, federal or state, and any municipal corporation of three hundred inhabitants or more, for the purpose of grading, paving, sewering, and otherwise improving or reimproving its streets and alleys, or for establishing and maintaining a library or museum for the public

use, or a building or structure for educational purposes, or acquiring a recreation park for the public use, or for acquiring, constructing, furnishing, equipping and maintaining civic arenas, auditoriums, exhibition halls and theaters, may become indebted and issue bonds in an additional sum not exceeding two and one-half percent of the value of the taxable property therein, ascertained as aforesaid: Provided, however, That no county board of education authorized by this article to issue bonds, shall, by any bond issue, become indebted, in any manner, or for any purpose, to an amount, including all other indebtedness, in the aggregate, exceeding five percent on the value of the taxable property therein, in the county school district to be ascertained by the last assessment for state and county taxes, previous to the incurring of such indebtedness, in the manner provided by the "School Bond Amendment," as ratified.

The term "sewering" as used herein shall be treated in a comprehensive sense, so as to include all mains, laterals, connections, traps, incinerating and disposal plants, and other necessary and convenient accessories to a modern sanitary and efficient sewerage system and shall include storm sewers.

The county court of any county is hereby authorized and empowered to negotiate and sell to the government of the United States or to any governmental agency, federal or state, at private sale, at not less than par any bonds issued for the purpose of erecting and equipping a courthouse or other public buildings for such county, under and by virtue of this article, without first offering them for sale at public auction, or to any other person or agency. Acts 1923, c. 14, § 3; Acts 1925, c. 42; Acts 1927, c. 58; Acts 1931, c. 36; Acts 1935, c. 21; Acts 1941, c. 8; Acts 1945, c. 17; Acts 1951, c. 153; Acts 1974, c. 8.

W.Va. Const., art. IX, § 9, redesignated the office of the county court as county commission.

Cross References

Election to increase levies, vote required, amount and continuation of additional levy, issuance of bonds, see § 11-8-16.

Taxation and finance, constitutional provisions, see Const. Art. 10 § 1.

Library References

Key Numbers

Counties €173.1.

Municipal Corporations \$\iiin\$914.

Schools \$\sim 97(3).

Westlaw Key Number Searches: 104k173.1; 268k914; 345k97(3).

Encyclopedias

C.J.S. Counties § 219.

C.J.S. Municipal Corporations §§ 1654, 1656 to 1657.

C.J.S. Schools and School Districts §§ 525 to 526.

Notes of Decisions

Bonds approved in excess of debt limit 6
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Validity 1

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1. Validity
Statute prohibiting bond issue by county increasing indebtedness to amount, exceeding 2½ per cent., of value of taxable property in county,

Note 6

neld valid, notwithstanding constitutional limitation on indebtedness. Code 1931, 13-1-3; Const. art. 10, § 8. Sanders v. Raleigh County Court, 1934, 174 S.E. 878, 115 W.Va. 187. Counties \$\ins\$ 173.1

validity of related laws

Acts of 1905, c. 51, Code 1913, c. 47A, § 1 (section 2495), limiting the indebtedness of counties, etc., to 2½ per cent. of the assessed value of the taxable property, held not violative of Const. art. 10, § 8, Code 1913, p. cxviii, providing that such indebtedness shall not exceed 5 per cent. Pfalzgraf v. Wood County Court, 1914, 81 S.E. 397, 73 W.Va. 723. Counties = 150(1)

3. Construction and application

Original voter mandate on approving school bond issue, which required voters to be advised and to approve of key elements of original bond issue, determines maximum amount of indebtedness allowable under a financing plan involving refunding bonds, which indebtedness is calculated by adding to original principal amount of bonds authorized the accrued interest that would be paid on the original bonds over their maturity, and from that total, there must be deducted amounts of principal and interest paid on the original bond issue to reach the net amount available for financing plan involving refunding bonds. Code, 13-1-4. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools © 97(3)

Constitutional and statutory limitations on indebtedness of distinct political subdivisions, such as counties, school districts, and municipal corporations, apply distributively and not collectively (Code 1931, § 13-1-3; Const. art. 10, § 8). Sanders v. Raleigh County Court, 1934, 174 S.E. 878, 115 W.Va. 187. Counties \$\infty\$

Acts 1911, c. 38, § 25a, Code 1913, c. 43, § 56a (section 1793), authorizing the issuance of bonds for road improvement, does not impliedly repeal the limitation imposed by Acts 1905, c. 51, Code 1913, c. 47A, § 1 (section 2495). Pfalzgraf v. Wood County Court, 1914, 81 S.E. 397, 73 W.Va. 723. Counties \$\infty\$ 150(1)

4. Constitutional rights and obligations

Const. art. 10, § 8, Code 1913, p. cxviii, does not authorize or recognize a pre-existent right in counties, etc., to incur indebtedness, but merely imposes a limitation. Pfalzgraf v. Wood County Court, 1914, 81 S.E. 397, 73 W.Va. 723. Counties = 150(1)

Section 8 of article 10 of the Constitution, Code 1913, p. cxviii, does not grant to counties, cities, school districts, and municipal corporations the right to incur indebtedness to the extent of 5 per cent, of the assessed value of the taxable property therein, nor recognize such

right in them as pre-existent. Pfalzgraf v. Wood County Court, 1914, 81 S.E. 397, 73 W.Va. 723. Counties ← 150(3)

5. Debt load of subordinate governmental units

Political divisions of state, such as counties, may not incur obligations in amounts exceeding legally available revenue from taxes raised by valid levies or other legally authorized sources. State ex rel. Mercer County Court v. Partlow, 1947, 45 S.E.2d 506, 130 W.Va. 777, 175 A.L.R. 813. Counties \$\infty\$ 149

Outstanding indebtedness of magisterial districts within county held indebtedness of county as basis for determining whether proposed bond issue exceeds limitation on indebtedness. Code 1931, 13–1–3; Const. art. 10, § 8. Sanders v. Raleigh County Court, 1934, 174 S.E. 878, 115 W.Va. 187. Counties 5 150(3)

Outstanding indebtedness of school districts and municipal corporations within county held not indebtedness of county as basis for determining whether proposed bond issue exceeds limitation on indebtednes Code 1931, 13-1-3; Const. art. 10, § 8. Sanders v. Raleigh County Court, 1934, 174 S.E. 878, 115 W.Va. 187. Counties \$\inspec\$ 150(3)

Under Acts 1905, c. 51, Code 1913, c. 47A, § 1 (section 2495), a county court cannot issue bonds payable or redeemable out of taxes to be raised from persons and property of a magisterial district in excess of 2½ per cent. of the assessed value of the taxable property in such district. Pfalzgraf v. Wood County Court, 1914, 81 S.E. 397, 73 W.Va. 723. Counties \$\infty\$ 150(1)

A county court cannot issue bonds payable or redeemable out of taxes to be raised from persons and property of a magisterial district in excess of 2½ per cent. of the assessed value of the taxable property in such district. Pfalzgraf v. Wood County Court, 1914, 81 S.E. 397, 73 W.Va. 723. Counties \$\infty\$ 150(3)

Bonds approved in excess of debt limit

The 1939 act, giving effect to 1932 tax limitation constitutional amendment, prohibited county's creation of bonded indebtedness exceeding amount of principal and interest payable annually during existence of debt from funds made available for such purpose by maximum tax rates levied annually on specified classes of property, and hence invalidated county's proposed airport bond issue in amount exceeding such limit, though approved by required three-fifths majority of county's qualified voters. Acts 1939, c. 132, and § 6b; Const. art. 10, § 1. State ex rel. Mercer County Court v. Partlow, 1947, 45 S.E.2d 506, 130 W.Va. 777, 175 A.L.R. 813. Counties \$\infty\$ 149

Generally, bonds of political division, such as county, for amount exceeding its debt limita-

Note 6

tion, are void. State ex rel. Mercer County Court v. Partlow, 1947, 45 S.E.2d 506, 130 W.Va. 777, 175 A.L.R. 813. Counties ← 150(1)

§ 13-1-4. Bond issue proposal to be submitted to voters; election order

No debt shall be contracted or bonds issued under this article until all questions connected with the same shall have been first submitted to a vote of the qualified electors of the political division for which the bonds are to be issued, and shall have received three fifths of all the votes cast for and against the same. The governing body of any political division referred to in this article may, and when requested so to do by a petition in writing, praying that bonds be issued and stating the purpose and amount thereof, signed by legal voters of the political division equal to twenty percent of the votes cast in a county or magisterial district for governor, or in a municipal corporation or school district for mayor or members of the board of education, as the case may be, shall, by order entered of record, direct that an election be held for the purpose of submitting to the voters of the political division all questions connected with the contracting of debt and the issuing of bonds. Such order shall state:

- (a) The necessity for issuing the bonds, or, if a petition has been filed as provided herein, that such petition has been filed;
- (b) If for the construction of a county-district road or bridge thereon, a summary of the engineer's report provided for in the following section setting forth the approximate extent and the estimated cost of the proposed improvement, and the kind or class of work to be done thereon;
 - (c) Purpose or purposes for which the proceeds of bonds are to be expended;
- (d) Valuation of the taxable property as shown by the last assessment thereof for state and county purposes;
 - (e) Indebtedness, bonded or otherwise;
 - (f) Amount of the proposed bond issue;
 - (g) Maximum term of bonds and series;
 - (h) Maximum rate of interest;
 - (i) Date of election;
 - (j) If a special election, names of commissioners for holding same;
- (k) If registration of voters is necessary, notice of the time, place and manner of making same;
- (1) That the levying body is authorized to lay a sufficient levy annually to provide funds for the payment of the interest upon the bonds and the principal at maturity, and the approximate rate of levy necessary for this purpose;
- (m) In the case of school bonds, that such bonds, together with all existing bonded indebtedness, will not exceed in the aggregate five percent of the value of the taxable property in such school district ascertained in accordance with section 8, article X of the Constitution; and that such bonds will be payable

from a direct annual tax levied and collected in each year on all taxable property in such school district sufficient to pay the principal and the interest maturing on such bonds in such year, together with any deficiencies for prior years, within, and not exceeding thirty-four years, which tax levies will be laid separate and apart and in addition to the maximum rates provided for tax levies by school districts on the several classes of property in section 1, article X of the Constitution, but in the same proportions as such maximum rates are levied on the several classes of property; and said tax may be levied outside the limits fixed by section 1, article X of the Constitution.

Any other provision which does not violate any provision of law, or transgress any principle of public policy, may be incorporated in the order. Acts 1923, c. 14, § 4; Acts 1951, c. 153; Acts 1959, c. 132.

Cross References

Election to increase levies, vote required, amount and continuation of additional levy, issuance of bonds, see § 11-8-16.

Library References

Key Numbers

Counties 🖘 178.

Municipal Corporations €=918.

Schools \$=97(4).

Westlaw Key Number Searches: 104k178; 268k918; 345k97(4).

Encyclopedias

C.J.S. Counties § 221.

C.J.S. Municipal Corporations §§ 1664, 1672.

C.J.S. Schools and School Districts §§ 532 to 545.

Notes of Decisions

In general 1 Absentee ballots 9 Approval of illegal bond proposal 13 Contents of election order Contesting election 12 Court ordered submission to electorate 11 Departures from provisions of election order

Interest 4 Judicial powers and duties 10 Mandamus 14 Necessity for submission of proposal 5 Notice of election 6 Statutory compliance 2 Validity of voting requirements 3

In general

Activity of chamber of commerce in an attempt, in a proper way, to influence county court to submit bond issue for acquisition or construction of an airport was insufficient to invalidate bond issue. Code 1931, 13-1-4. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Counties 🖘 183(1)

The fact that a commercial or civic organization may interest itself in advocating public improvements should not be permitted to detract from merits of project or affect legality of any action of public officials influenced thereby unless such influence is exerted in an improper way and can be said to amount to an improper control of acts of such officials. Code 1931, 13-1-4. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Municipal Corporations

2. Statutory compliance

The statute requiring that county voters be correctly advised as to all existing indebtedness, bonded and otherwise, at time proposed bond issue is submitted to voters is mandatory and calls for utmost good faith in its compliance on part of county court. Code 1931, 13-1-4(e). Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Counties \$\infty\$ 178

3. Validity of voting requirements

Any departure from strict majority rule gives disproportionate power to minority, but state constitutional and statutory requirement that 60% of voters in referendum election approve bonded indebtedness or tax increase by political subdivision did not violate equal protection clause merely because votes of those who favored issuance of bonds would have proportionately smaller impact on outcome of election than votes of those who opposed issuance of bonds. U.S.C.A.Const.Amend. 14; Const.Ind. Note 3

A provision requiring unanimity or giving veto power to a very small group might or might not be constitutional, but West Virginia Constitution and statutory provisions, applicable to all bond referenda and requiring strong consensus of three-fifths before indebtedness would be authorized, did not violate equal protection clause or any other provision of Constitution. U.S.C.A.Const. Amend. 14; Const.Ind. art. 10, § 5; Const.Ohio art. 8, § 3; Vernon's Ann.Tex.St.Const. art. 3, § 49; W.S.A.Const. art. 8, § 4. Gordon v. Lance, 1971, 91 S.Ct. 1889, 403 U.S. 1, 29 L.Ed.2d 273, 59 O.O.2d 96. Constitutional Law \$\infty\$ 232(2)

Three-fifths vote requirement of West Virginia Constitution and statutes dealing with elections held by political subdivisions of the state for determination of whether bond indebtedness should be incurred, and 60 percent vote requirement provided by West Virginia Constitution relating to elections to authorize local tax levying bodies to make additional levies for tax purposes in excess of levies provided for in Tax Limitation Amendment, conflict with and violate the Equal Protection Clause of United States Constitution and are therefore unconstitutional and unenforceable. Const. art. 10, §§ 1, 8; Code, §§ 11-8-16, 13-1-4, 13-1-14; U.S.C.A.Const. Amend. 14. Lance v. Board of Ed. of Roane County, 1969, 170 S.E.2d-783, 153 W.Va. 559, certiorari granted 90 S.Ct. 1264, 397 U.S. 1020, 25 L.Ed.2d 530, reversed 91 S.Ct. 1889, 403 U.S. 1, 29 L.Ed.2d 273, 59 O.O.2d 96. Elections = 11

4. Interest

Special bond levy is set annually based upon current year's appraised values, as evidenced by statute requiring bond-issuing authority to pay annually interest on such debt and principal thereof falling due in each year, such tax to be levied and collected by same officers, at same time and in same manner as the general taxes of the political division. Code, 13-1-4, 13-1-20. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools

5. Necessity for submission of proposal

Statute providing that city council, when requested by petition signed by at least 20% of legal voters, shall direct that election be held to determine all questions connected with contracting of debt and issuing of bonds is mandatory; thus, upon petition signed by sufficient number of legal voters, city council had mandatory duty to call election to determine if city should contract debt and issue general obli-

gation bonds for acquiring land and constructing municipal auditorium building even if federal money was no longer available. Code, 13-1-4. State ex rel. Elliott v. Adams, 1971; 181 S.E.2d 276, 155 W.Va. 110. Municipal Corporations = 918(1)

6. Notice of election

Where, within 7 days after entry of an order of county court submitting to voters a proposition to issue bonds to build a public road, and more than 30 days before the day appointed for election, the clerk posts in his office and at the front door of the courthouse copies of such order, considering the nature of the duty, there has been substantial compliance with the statute requiring copies of such order to be posted forthwith. Vineyard v. Roane County Court, 1922, 114 S.E. 380, 92 W.Va. 51. Highways \$\infty\$90

Where the clerk of a bond issue election to construct a road, in his affidavit filed with the Attorney General, made a mistake as to the time of the posting of the notice of election, such mistake will not be regarded, on appeal from an order of approval by the Attorney General of the bond authorized, especially where the error is corrected by a minute affidavit filed on appeal. Vineyard v. Roane County Court, 1922, 114 S.E. 380, 92 W.Va. 51. Highways \$\infty\$ 90

7. Contents of election order

School board was not required by statute to include proposed maturity schedule for original bonds in its election order. Code, 13-1-4. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools \$\infty\$ 97(4)

Statute requiring valuation of taxable property, as shown by last assessment thereof for state and county purposes, to be placed in an election order concerning bond approval was designed to give information to voters as to value of property on which levy rates for liquidation of bonds and their interest would be based. Code, 13-1-4(d). Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools \cong 97(4)

Where original bond issue was to be liquidated by funds obtained through a special property tax levy which voters approved at bond authorization election, it was necessary that voters be given some approximation of the amount of increased rate of taxation arising from the special levy. Code, 13–1–4(d). Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools 97(4)

School board was not strictly bound to follow maturity schedule set out in election order regarding bonds as long as projected plan remained within limits set by voters. Code, 13-1-4. Board of Educ. of Hancock County v.

Note 11

Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools ← 97(9)

Action of common council in placing money received from sale of real estate and donations in general fund was not beyond authority of council, and order submitting question of approval of proposed bond issue for purchase of realty and construction of fire hall to voters was not objectionable because order did not expressive state that revenue of city for fiscal year, after excluding named items, would be sufficient to include its necessary operating expense and to provide for its bonded indebtedness. Code, 13-1-4, 13-1-26. Baxa v. Partlow, 1949, 54 S.E.2d 825, 132 W.Va. 859. Municipal Corporations \$\infty\$ 886

Municipal bond issue proposal submitted to voters by common council, was not required to contain statement that city would be provided with sufficient revenue to pay its costs and keep aggregate levies within legal limits, including those authorized to satisfy bonded indebtedness authorized by election order. Code, 13-1-4, 13-1-26. Baxa v. Partlow, 1949, 54 S.E.2d \$25, 132 W.Va. 859. Municipal Corporations \$\inspec\$918(2)

Under statute requiring that an order submitting approval of bond issues to vote of people state approximate rate of levy necessary to meet sinking fund requirements, such rate of levy must be substantially complied with. Code, 13-1-4. Baxa v. Partlow, 1949, 54 S.E.2d 825, 132 W.Va. 859. Municipal Corporations 918(5)

Where purpose of county court, when it submitted bond issue to voters, was to establish, acquire and construct an airport, but one project or purpose was contemplated, and statute providing that where a bond issue is to be used for more than one purpose the order submitting question to voters shall contain statement of amount to be used for each of purposes specified had no application. Code 1931, 13-1-6. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Counties \$\infty\$ 178

8. Departures from provisions of election order

Where voters of city approved bond issue at specific rate of levy, subsequent ordinance passed by common council stating that rate of levy could be exceeded when necessary was invalid and ordinance did not invalidate bond issue. Code, 13–1–4. Baxa v. Partlow, 1949, 54 S.E.2d 825, 132 W.Va. 859. Municipal Corporations ≈ 918(5)

Absentee ballots

Where absentee ballots under consideration were not challenged though subject to challenge, there was no showing of fraud in connection with preparation of ballots or that any

voters were not qualified to cast absentee ballots, nor showing that election was not fair, and purpose of absentee voter's signature on declaration, to allow comparison of the voter's signature on ballot with his signature on poll book, was served by absentee voter's signed application for ballot, failure of circuit court clerk to provide for each absentee voter a return envelope bearing a printed declaration, and failure of voter to sign such declaration, did not render, absentee ballots cast in school board levy election invalid. Acts 1963, c. 64, art. 3, § 6; Acts 1970, c. 28, art. 3, § 3; Const. art. 4, § 1. State ex rel. Heavener v. Perry, 1971, 184 S.E.2d 136, 155 W.Va. 353. Schools \$\infty\$ 103(2)

10. Judicial powers and duties

Under statutory proceeding for review of Attorney General's approval or disapproval of bond issues, court generally will not undertake supervision of expenditure of funds to be procured as result of bond issue. Code, 13–1–4. Baxa v. Partlow, 1949, 54 S.E.2d 825, 132 W.Va. 859. Municipal Corporations \$\infty\$ 917(2)

Upon reversal by Supreme Court of Appeals of Acting Attorney General's approval of bond issue on ground that election was invalid because of defect in county court order submitting bond issue to voters, issues in equity suit seeking to contest election and enjoin issuance and sale of bonds became "moot". Code 1931, 13-1-4(e), 13-1-25, 13-1-26. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Action © 6

11. Court ordered submission to electorate

Where county court in submitting proposed bond issue to voters declared that county had no indebtedness, bonded or otherwise, except current obligations, overdraft in the county fund representing moneys spent in years prior to current fiscal year, which was an indebtedness illegally created, was not a "current expense", and statement was incorrect. Code 1931, 13–1–4(e); Acts 1933, 2d Ex.Sess., c. 67, § 26. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Counties ≈ 178

Where order of the county court in calling special election to pass upon bond issue did not correctly state financial status of county as required by statute, election was void notwith-standing that had status been correctly presented it would have appeared in a light more favorable to county than that incorrectly stated in court's order. Code 1931, 13-1-4(e). Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Counties \$\infty\$ 178

An order of a county court submitting to the voters a proposition to issue bonds to build a road embodied therein the petition filed by the requisite number of voters and also the report of the road engineer thereon. The petition describes the proposed road as, "Beginning at or

§ 13-1-4

Note 11

near mouth of Hurricane, at hard road from Spencer, Walton to Clendenin, thence the most economical and practical route to intersect the state road from Clay, W.Va., to Spencer, W.Va.," and the report of the engineer designates the road as running from "Hurricane to Newton," and gives the length in miles thereof. There was no such uncertainty in the order of submission as to the location of the proposed road as to render the order of submission, or the election held thereunder, void, or to justify this court in nullifying the approval by the attorney general of the bonds authorized for the construction of the road. Vineyard v. Roane County Court, 1922, 114 S.E. 380, 92 W.Va. 51. Highways \$\infty\$ 90

12. Contesting election

A holding by the Supreme Court of Appeals that action of Acting Attorney General in sustaining county bond issue on papers submitted to him should be upheld would not oust circuit court of county of its jurisdiction to finally hear and determine suit to contest election and enjoin issuance and sale of such bonds. Code 1931, 13–1–4, 13–1–25 to 13–1–27. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Courts © 107

13. Approval of illegal bond proposal

The 1939 act, giving effect to 1932 tax limitation constitutional amendment, prohibited-county's creation of bonded indebtedness exceeding amount of principal and interest payable annually during existence of debt from funds made available for such purpose by maximum tax rates levied annually on specified

PUBLIC BONDED INDEBTEDNESS

classes of property, and hence invalidated county's proposed airport bond issue in amount exceeding such limit, though approved by required three-fifths majority of county's qualified voters. Acts 1939, c. 132, and § 6b; Const. art. 10, § 1. State ex rel. Mercer County Court v. Partlow, 1947, 45 S.E.2d 506, 130 W.Va. 777, 175 A.L.R. 813. Counties ≈ 149

County voters' approval of issuance of airport bonds in amount of \$1,100,000, which exceeded county's constitutional and statutory debt limitation, did not authorize issuance of proposed bonds in legal amount of \$600,000, though election ballots mentioned bonds to such larger amount, such phraseology meaning same as bonds in such amount. Acts 1939, c. 132, and § 6b; Const. art. 10, § 1. State ex rel. Mercer County Court v. Partlow, 1947, 45 S.E.2d 506, 130 W.Va. 777, 175 A.L.R. 813. Counties \$\infty\$

14. Mandamus

Petitioners who, by petition designated as one under city charter, sought submission of bond issue question to election were not entitled to mandamus to compel submission in accordance with initiative provision of general state law Code, 13-1-1 et seq., 13-1-4. State ex rel. Horne v. Adams, 1970, 175 S.E.2d 193, 154 W.Va. 269. Mandamus 74(2)

City of Wheeling will not be compelled by mandamus to call election on issuance of bonds for constructing bridge under ordinances not complying with statute (Acts 1923, c. 14; Charter of City of Wheeling, §§ 31, 83, 84). State v. Steen, 1928, 145 S.E. 602, 106 W.Va. 325. Mandamus © 74(2)

§ 13–1–5. Engineer's estimate

Before ordering an election on the question of issuing bonds to construct a county-district road or bridge, whether acting on its own motion or on petition, the county court shall instruct the county road engineer, or some other engineer designated by it for the purpose, to make an investigation and furnish to the court an estimate of the probable cost of the proposed improvement.

Acts 1923, c. 14, § 5.

W.Va. Const., art. IX, § 9, redesignated the office of the county court as county commission.

Library References

Key Numbers

Counties ≈177.

Westlaw Key Number Search: 104k177.

Encyclopedias

C.J.S. Counties § 221.

§ 13-1-6. Bonds may be specified for more than one purpose; single or general purpose defined

The order or ordinance submitting the proposition of issuing bonds to a vote may specify more than one purpose for which bonds are to be issued: Provided, That the amount of the proceeds of the issue to be used for each purpose shall also be specified therein: Provided further, That all expenditures, including but not limited to expenditures for the acquisition of sites, the construction, erection, equipping and furnishing of one or more buildings, structures, improvements or facilities, or group of buildings, structures, improvements or facilities, and the relocation, alteration, renovation or enlargement of any existing buildings, structures, improvements or facilities, or group of buildings, structures, improvements or facilities, for the same general purpose shall be construed to be a single purpose within the meaning of this section. It shall not be necessary to specify in the order or ordinance submitting the proposition the amount of the proceeds of such bond issue to be used for each such site, building, structure, improvement or facility, or group of buildings, structures, improvements or facilities, which are a part of the same general purpose and it shall be sufficient compliance with this section if such order or ordinance state only the general purposes for which bonds are to be issued and the amount of the proceeds of such issue to be used for each such general purpose.

Acts 1923, c. 14, § 6; Acts 1965, c. 125.

Library References

Key Numbers

Counties €=178.

Municipal Corporations \$\infty\$918(2).

Schools €97(4).

Westlaw Key Number Searches: 104k178; 268k918(2): 345k97(4).

Encyclopedias

C.J.S. Counties § 221.

C.J.S. Municipal Corporations §§ 1666 to

1669.

C.J.S. Schools and School Districts §§ 532 to 545.

Notes of Decisions

In general 1

1. In general

Where ordinance submitting to vote of the people a proposed bond issue embraces several projects and, as required by statute, specifies the amount for each project, a substantial variance between the amounts stated in ordinance and those set forth in ballot will render the issue invalid. Code, 13-1-6. Jarrell v. Board of Ed. of Raleigh County, 1948, 50 S.E.2d 442, 131 W.Va. 702. Municipal Corporations = 918(2)

Where purpose of county court, when it submitted bond issue to voters, was to establish, acquire and construct an airport, but one project or purpose was contemplated, and statute providing that where a bond issue is to be used for more than one purpose the order submitting question to voters shall contain statement of amount to be used for each of purposes specified had no application. Code 1931, 13-1-6.

Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Counties ≈ 178

A city bond issue for different projects cannot be sustained unless ordinance submitting proposed issue to vote of people clearly specifies amounts to be used for the several projects, respectively. Code 1931, 13-1-6. State ex rel. Davenport v. Meadows, 1938, 199 S.E. 883, 120 W.Va. 602. Municipal Corporations 918(2)

In submitting to vote of people a proposed municipal bond issue embracing several projects, amounts specified in ordinance for respective projects should also be set forth in ballot, and a substantial variance will invalidate the issue. Code 1931, 13–1–6. State ex rel. Davenport v. Meadows, 1938, 199 S.E. 883, 120 W.Va. 602. Municipal Corporations ← 918(2)

Where ordinance submitting a municipal bond issue for people's approval proposed in effect that approximately 55 per centum of cost of each of three municipal projects, to be financed in part by federal grant, should be paid

§ 13-1-6

Note 1

for out of proceeds of sale of bonds, but form of ballot used at election provided for expenditure of larger sums on two of projects, there was failure of substantial compliance with statute requiring specification in ordinance of amounts to be used for each project, and bonds were improperly approved by Attorney General. Code 1931, 13–1–6. State ex rel. Davenport v. Meadows, 1938, 199 S.E. 883, 120 W.Va. 602. Municipal Corporations \$\infty\$ 918(2)

PUBLIC BONDED INDEBTEDNESS

§ 13-1-6a. When proceeds of bond issue specified for one project may be used for another project

If the order or ordinance submitting the proposition of issuing bonds to a vote specifies several projects within the same general purpose and the amount of the proceeds of such issue to be used for each project and for any reason one or more of said projects cannot be constructed, carried out, or completed, the amount of money specified for such projects and any sums remaining unused upon completion of any one of the specified projects may be allocated by the governing body in its discretion to and expended for any one or more of the remaining projects specified in said order or ordinance if said order or ordinance of submission shall contain a provision authorizing it to do so.

Acts 1965, c. 126.

Library References

Key Numbers

Counties €178.

Municipal Corporations \$\inspec\$918(2).

Schools \$=97(4).

Westlaw Key Number Searches: 104k178; 268k918(2); 345k97(4).

Encyclopedias

C.J.S. Counties § 221.

C.J.S. Municipal Corporations §§ 1666 to

1669.

C.J.S. Schools and School Districts §§ 532 to 545.

§ 13-1-7. When election to be held

Elections for the purpose of voting upon questions of issuing bonds may be held at any general, primary, or special election which the fiscal body in its order submitting the same to a vote may designate, except that, when a petition is filed asking that bonds be issued, the fiscal body with which the same is filed, if it be not designated in the petition that the election shall be held at a general or primary election, shall order a special election to be held within sixty days from the date of the filing of such petition; or, if it be a petition for bonds for the construction of county-district roads or bridges thereon, the election shall be held within sixty days from the filing of the engineer's report as provided for in section five of this article.

Acts 1923, c. 14, § 7.

Library References

Key Numbers

Counties €178.

Municipal Corporations \$\inspec\$918(4). Schools \$\inspec\$97(4).

Westlaw Key Number Searches: 104k178; 268k918(4); 345k97(4).

Encyclopedias

C.J.S. Counties § 221.

C.J.S. Municipal Corporations §§ 1671, 1673.

C.J.S. Schools and School Districts §§ 532 to 545.

Note 1

§ 13-1-8. Publication of notice of election

Notice of all bond elections shall be given by publication, within fourteen consecutive days next preceding the date of the election, of the order provided for in section four of this article as a Class II–0 legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this Code, and the publication area for such publication shall be the political division in which the election is to be held.

Acts 1923, c. 14, § 8; Acts 1967, c. 105.

Library References

Key Numbers

Counties €=178.

Municipal Corporations \$\sim 918(3).

Schools \$=97(4).

Westlaw Key Number Searches: 104k178; 268k918(3); 345k97(4).

Encyclopedias

C.J.S. Counties § 221.

C.J.S. Municipal Corporations §§ 1665, 1670.

C.J.S. Schools and School Districts §§ 532 to

Notes of Decisions

In general 1

1. In general

An order of a county court submitting to the voters a proposition to issue bonds to build a road embodied therein the petition filed by the requisite number of voters and also the report of the road engineer thereon. The petition describes the proposed road as, "Beginning at or near mouth of Hurricane, at hard road from Spencer, Walton to Clendenin, thence the most economical and practical route to intersect the state road from Clay, W.Va., to Spencer, W.Va.," and the report of the engineer designates the road as running from "Hurricane to Newton," and gives the length in miles thereof. There was no such uncertainty in the order of submission as to the location of the proposed road as to render the order of submission, or the election held thereunder, void, or to justify this court in nullifying the approval by the attorney general of the bonds authorized for the construction of the road. Vineyard v. Roane County Court, 1922, 114 S.E. 380, 92 W.Va. 51. Highways ≈ 90

Where, within 7 days after entry of an order of county court submitting to voters a proposition to issue bonds to build a public road, and more than 30 days before the day appointed for election, the clerk posts in his office and at the front door of the courthouse copies of such order, considering the nature of the duty, there has been substantial compliance with the statute requiring copies of such order to be posted forthwith. Vineyard v. Roane County Court,

1922, 114 S.E. 380, 92 W.Va. 51. Highways ഈ

Where the clerk of a bond issue election to construct a road, in his affidavit filed with the Attorney General, made a mistake as to the time of the posting of the notice of election, such mistake will not be regarded, on appeal from an order of approval by the Attorney General of the bond authorized, especially where the error is corrected by a minute affidavit filed on appeal. Vineyard v. Roane County Court, 1922, 114 S.E. 380, 92 W.Va. 51. Highways ⇔ 90

Section 56aXXVa, chapter 43, serial section 1793, Code 1913, providing for the posting and publishing thirty days before the poll is taken, orders of the county court providing for the holding of elections for the purpose of taking the vote of the legal voters upon the question of issuing bonds the proceeds of which are to be used in permanently improving the public roads, considered in the light of a subsequent amendment of said act, and with reference to the decisions of this court interpreting other statutes on the subject of notice, is satisfied by the publication of such order once a week for four consecutive weeks, and the contract of the county court for the publication of such order for thirty consecutive days or oftener than once a week for four consecutive weeks, is illegal and void, and payment of a greater sum than the legal rate for four insertions of such publication should be enjoined. Stanley v. Kanawha County Court, 1919, 100 S.E. 408, 84 W.Va. 619. Counties ≈ 178

§ 13-1-9. Registration of voters

The registration of voters and the use of registration books prescribed by general law shall be applicable to any election under this chapter.

Acts 1923, c. 14, § 9.

Cross References

Permanent voter registration law, uniform system of voter registration, see § 3-2-1.

§ 13-1-10. Election precincts

Elections for bond issues for counties, districts and school districts shall be held at the voting precincts established for holding general elections; for municipalities, at the precincts established for the election of municipal officers; and for independent school districts, at the precincts used for voting for boards of education.

Acts 1923, c. 14, § 10.

Library References

Key Numbers

Encyclopedias C.J.S. Counties § 221.

Counties €=178.

Municipal Corporations €=918(4).

C.J.S. Municipal Corporations §§ 1671, 1673. C.J.S. Schools and School Districts §§ 532 to

Schools ≈97(4).

Westlaw Key Number Searches: 104k178; 268k918(4); 345k97(4).

§ 13-1-11. General election laws to apply; recorders and secretaries to act in lieu of circuit clerks

All the provisions of the general election laws of this State concerning general, primary or special elections, when not in conflict with the provisions of this article, shall apply to bond elections hereunder, insofar as practicable: Provided, That in bond elections for municipalities, school or independent school districts, the recorders and secretaries, respectively, shall procure and furnish to the election commissioners at each voting precinct the ballots, pollbooks, tally sheets and other things necessary for conducting the election, and perform all duties imposed by law upon clerks of the circuit courts in relation to general elections.

Acts 1923, c. 14, § 11.

Library References

Key Numbers

Encyclopedias

Counties € 178.

C.J.S. Counties § 221.

Municipal Corporations €918(4).

C.J.S. Municipal Corporations §§ 1671, 1673.

Schools \$97(4). Westlaw Key Number Searches: 104k178; 268k918(4); 345k97(4). C.J.S. Schools and School Districts §§ 532 to

Notes of Decisions

Absentee voters 1 Canvassing election results 2 Mandamus 3

1 Absentee voters

Where absentee ballots under consideration were not challenged though subject to challenge, there was no showing of fraud in connection with preparation of ballots or that any voters were not qualified to cast absentee ballots, nor showing that election was not fair, and purpose of absentee voter's signature on declaration, to allow comparison of the voter's signature on ballot with his signature on poll book, was served by absentee voter's signed application for ballot, failure of circuit court clerk to provide for each absentee voter a return envelope bearing a printed declaration, and failure of voter to sign such declaration, did not render absentee ballots cast in school board levy election invalid. Acts 1963, c. 64, art. 3, § 6; Acts 1970, c. 28, art. 3, § 3; Const. art. 4, § 1. State ex rel. Heavener v. Perry, 1971, 184 S.E.2d 136, 155 W.Va. 353. Schools = 103(2)

2. Canvassing election results

In absence of any conflicting special statute, County Court, as board of canvassers, is vested with power and authority to recount ballots cast at special bond election in county and is proper governmental instrumentality to conduct such recount. Code 3-5-33, 13-1-11, 13-1-13. State ex rel. Bumgarner v. County Court of Wirt County, 1962, 125 S.E.2d 883, 147 W.Va. 52. Counties ♀ 178

3. Mandamus

Board of education would be compelled by mandamus to appoint election officials belonging to the two dominant political parties for special election to authorize additional levies for school purposes, rather than employees of the board and those closely related to school teachers or others employed by the board, since election laws require that elections be conducted by representatives of well recognized organizations, which disagree on the major issue before the electorate. Code 1931, 13–1–11. Mingo County Taxpayers Ass'n v. Board of Ed. of Mingo County, 1940, 7 S.E.2d 656, 122 W.Va. 109. Mandamus ← 74(1)

§ 13-1-12. Form of ballot

The ballots to be used at elections under this article shall be in substantially the following form:

Yes.
No.

NOTICE TO VOTERS: To vote in favor of the proposition submitted on this ballot, place an X mark in the square before the word "Yes."

To vote against it, place a similar mark before the word "No."

Acts 1923, c. 14, § 12.

Library References

Key Numbers

Counties ⇔178. Municipal Corporations ⇔918(4).

Schools €=97(4).

Westlaw Key Number Searches: 104k178; 268k918(4); 345k97(4).

Encyclopedias

C.J.S. Counties § 221.

C.J.S. Municipal Corporations §§ 1671, 1673.

C.J.S. Schools and School Districts §§ 532 to 545.

Notes of Decisions

In general 1

1. In general

Failure to use the form of ballot prescribed in section 12, c. 14, Acts 1923, in an election held by a municipality upon the question of issuance of municipal bonds for street improvement, to be paid for in whole or in part by assessment against abutting property, does not render the election invalid. Sexton v. Lee, 1925, 130 S.E. 437, 100 W.Va. 389. Municipal Corporations \$\inspec\$ 918(2)

If the form of ballot to be used in municipal bond elections be not prescribed by statute, a ballot which will clearly indicate the intention of the voter on the proposition submitted will suffice. Sexton v. Lee, 1925, 130 S.E. 437, 100 W.Va. 389. Municipal Corporations \$\infty\$ 918(2)

Form of ballot held not to render bond election invalid. Sexton v. Lee, 1925, 130 S.E. 437, 100 W.Va. 389 Municipal Corporations ⇔ 918(4)

Ballot for bond elections indicating intention of voter sufficient. Sexton v. Lee, 1925, 130 S.E. 437, 100 W.Va. 389. Municipal Corporations ← 918(4)

§ 13-1-13. Time and manner of canvassing returns

The authorities calling bond elections shall canvass the returns at the same time with reference to the election and in the same manner as is required of county courts for general elections.

Acts 1923, c. 14, § 13.

W.Va. Const., art. IX, § 9, redesignated the office of the county court as county commission.

Library References

Key Numbers

Counties €178.

Municipal Corporations ≈918(4).

Schools \$=97(4).

Westlaw Key Number Searches: 104k178; 268k918(4); 345k97(4).

Encyclopedias

C.J.S. Counties § 221.

C.J.S. Municipal Corporations §§ 1671, 1673.

C.J.S. Schools and School Districts §§ 532 to

Notes of Decisions

In general 1

1. In general

In absence of any conflicting special statute, County Court, as board of canvassers, is vested with power and authority to recount ballots cast at special bond election in county and is proper governmental instrumentality to conduct such recount. Code 3-5-33, 13-1-11, 13-1-13. State ex rel. Bumgarner v. County Court of Wirt County, 1962, 125 S.E.2d 883, 147 W.Va. 52. Counties \$\infty\$ 178

In appraisement of votes cast at an election, it is unnecessary to isolate votes by challenge or otherwise, where, by proper and direct mathematical calculations, it can be ascertained by canvassing board, either on the canvass or the recount, how a certain number of illegal ballots

in a precinct have been cast. Park v. Landfried, 1951, 63 S.E.2d 586, 135 W.Va. 361. Elections

259

Members of county court, sitting as a board of canvassers, and on the recount, had right to and should have examined both applications of absentee voters and registration lists for purpose of determining whether absentee voters had made application for absentee ballots prior to 10 days preceding election, whether any voters were under age, as determined by their registration cards, whether any voters had not registered, and whether any voters had failed to register prior to 30 days preceding election. Code, 3-6-6, 3-6-8, 3-6-9, 3-6-10; Acts 1943, c. 50, art. 2, § 26. Park v. Landfried, 1951, 63 S.E.2d 586, 135 W.Va. 361. Elections \$\infty\$ 259

§ 13-1-14. Resolution authorizing issuance and fixing terms of bonds

If three fifths of all the votes cast for and against the proposition to incur debt and issue negotiable bonds shall be in favor of the same, the governing body of the political division shall, by resolution, authorize the issuance of such bonds in an amount not exceeding the amount stated in the proposition; fix the date thereof; set forth the denominations in which they shall be issued, which denominations shall be one hundred dollars or multiples thereof; determine the rate or rates of interest which the bonds shall bear, which rate or rates of interest shall be within the maximum rate stated in the proposition submitted to vote and payable semiannually; prescribe the medium with which the bonds shall be payable; require that the bonds shall be made payable at the office of the state treasurer and at such other place or places as the body issuing the same may designate; provide for a sufficient levy to pay the annual interest on the bonds and the principal at maturity; fix the times within the maximum period, as contained in the proposition submitted to vote, when the bonds shall become payable, which shall not exceed thirty-four years from the date thereof; determine whether all or a portion of the bonds shall be subject to redemption prior to the maturity thereof and, if so, the terms of the redemption; and prescribe a form for executing the bonds authorized.

Acts 1923, c. 14, § 14; Acts 1970, c. 9; Acts 1980, c. 33; Acts 1981, 1st Ex. Sess., c. 2; Acts 1990, 3rd Ex. Sess., c. 5; Acts 1994, c. 13; Acts 1998, c. 320, eff. March 14, 1998.

Library References

Key Numbers

Counties €183.

Municipal Corporations ≈928.

Schools \$ 97(6).

Westlaw Key Number Searches: 104k183; 268k928; 345k97(6).

Encyclopedias

C.J.S. Counties § 222.

C.J.S. Municipal Corporations § 1699.

C.J.S. Schools and School Districts § 551.

Notes of Decisions

Construction with other provisions 1 Partial bond issuance 3 Right to vote 2

1. Construction with other provisions

Any departure from strict majority rule gives disproportionate power to minority, but state constitutional and statutory requirement that 60% of voters in referendum election approve bonded indebtedness or tax increase by political subdivision did not violate equal protection clause merely because votes of those who favored issuance of bonds would have proportionately smaller impact on outcome of election than votes of those who opposed issuance of bonds. U.S.C.A.Const.Amend. 14; Const.Ind. art. 10, § 5; Const.Ohio art. 8, § 3; Vernon's Ann.Tex.St.Const. art. 3, § 49; W.S.A.Const. art. 8, § 4. Gordon v. Lance, 1971, 91 S.Ct. 1889, 403 U.S. 1, 29 L.Ed.2d 273, 59 O.O.2d 96. Constitutional Law 232(2)

Three-fifths vote requirement of West Virginia Constitution and statutes dealing with elections held by political subdivisions of the state for determination of whether bond indebtedness should be incurred, and 60 percent vote requirement provided by West Virginia Constitution relating to elections to authorize local tax levying bodies to make additional levies for tax purposes in excess of levies provided for in Tax Limitation Amendment, conflict with and violate the Equal Protection Clause of United States Constitution and are therefore unconstitutional and unenforceable. Const. art. 10, §§ 1, 8; Code, §§ 11–8–16, 13–1–4, 13–1–14; U.S.C.A.Const. Amend. 14. Lance v. Board of Ed. of Roane County, 1969, 170 S.E.2d 783, 153 W.Va. 559, certiorari granted 90 S.Ct. 1264, 397 U.S. 1020, 25 L.Ed.2d 530, reversed 91 S.Ct. 1889, 403 U.S. 1, 29 L.Ed.2d 273, 59 O.O.2d 96. Elections ⇔ 11

2. Right to vote

An individual may not be denied access to ballot because of some extraneous condition such as race, wealth, tax status or military status. U.S.C.A.Const. Amend. 14. Gordon v. Lance, 1971, 91 S.Ct. 1889, 403 U.S. 1, 29 L.Ed.2d 273, 59 O.O.2d 96. Elections 11

3. Partial bond issuance

Under statute relating to an original bond issue, the legislature intended that a bond-issuing authority could issue less than the total

§ 13-1-14

Note 3

amount of bonds authorized at the election, if under all circumstances the projects authorized by the voters can still be completed. Code, 13–1–14. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools ≈ 97(6)

School board's plan to issue only a part of remaining unissued original bonds, as part of its

PUBLIC BONDED INDEBTEDNESS

financing plan involving refunding bonds, was proper, where under refunding bond plan voters were obtaining school improvements they initially authorized without necessity of issuing entire amount of original bonds. Code, 13–1–14. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools ≈ 97(6)

§ 13-1-15. Bonds to be payable in annual installments

Such bonds shall be made payable in annual installments beginning not more than two years after the date thereof, and the amount payable in each year may be so fixed that, when the annual interest is added to the principal amount to be paid, the total amount payable in each year in which part of the principal is payable shall be as nearly equal as practicable. It shall be an immaterial variance if the difference between the largest and smallest amounts of principal and interest payable annually during the term of the bonds shall not exceed three percent of the total authorized issue. Or, such bonds may be payable in annual installments beginning not more than two years after the date thereof, each installment being as nearly equal in principal amount as may be practicable.

Acts 1923, c. 14, § 14.

Library References

Key Numbers

Encyclopedias

Counties ≈187.

C.J.S. Counties § 226.

Municipal Corporations €953.

C.J.S. Municipal Corporations § 1706.

Schools \$\infty 97(9).

C.J.S. Schools and School Districts § 555.

Westlaw Key Number Searches: 104k187; 268k953; 345k97(9).

§ 13-1-15a. Bonds may be subject to redemption

All or a portion of such bonds may be subject to redemption prior to the maturity thereof, at the option of the body issuing the same, at such times and prices and on such terms as shall be designated in the resolution required by section fourteen of this article. The body issuing the bonds may not levy taxes in connection with the redemption of any bonds in excess of the taxes that would have been levied for the payment of principal of and interest on such bonds in such year.

Acts 1994, c. 13.

Library References

Key Numbers

Encyclopedias

Counties \$\infty\$187.

C.J.S. Counties § 226.

Municipal Corporations €951.

C.J.S. Municipal Corporations §§ 1704 to

Schools ≈97(9).

1705.

Westlaw Key Number Searches: 104k187; 268k951; 345k97(9).

C.J.S. Schools and School Districts § 555.

§ 13-1-16. Recital of certification that bonds are issued in conformity with Constitution and statutes; effect thereof with attorney general's indorsement

The resolution authorizing the bonds provided for in section fourteen of this article may direct that they shall contain the following recital:

"It is certified that this bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of West Virginia."

Such recital, when such bonds shall have been indorsed by the attorney general as provided in section twenty-eight of this article, shall be deemed an authorized declaration by the governing body of the political division and to import that there is constitutional and statutory authority for incurring the debts and issuing the bonds; that all the proceedings therefor are regular; that all the acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds, have existed, happened and been performed in due time, form and manner as required by law; that the amount of the bond and the issue of which it forms a part, together with all other indebtedness, does not exceed any limit or limits prescribed by the Constitution or statutes of this State; and that all questions connected with incurring the debt and issuing the bonds have been first submitted to a vote of the people and have received three fifths of all the votes cast for and against the same at an election regularly called and held for the purpose after notice published and posted in the manner required by law. If any bond be issued containing the said recital, and also containing the indorsement of the attorney general as aforesaid, it shall be conclusively presumed that said recital, construed according to the import hereby declared, is true, and neither the political division nor any taxpayer thereof shall be permitted to question the validity or regularity of the obligation in any court or in any action or proceeding.

Acts 1923, c. 14, § 15.

Library References

Encyclopedias

1688.

C.J.S. Counties § 222.

Kev Numbers

Counties \$\infty\$183(2).

Municipal Corporations \$\infty924.

Schools \$\sim 97(6).

Westlaw Key Number Searches: 104k183(2); 268k924; 345k97(6).

C.J.S. Schools and School Districts § 551.

C.J.S. Municipal Corporations §§ 1686 to

§ 13-1-17. Bonds may be registered; coupon bonds may be registered as to principal

The bonds issued hereunder may be registered or coupon bonds. Coupon bonds may be registered as to the principal in the owner's name by the state treasurer on books which shall be kept at its office for the purpose and the registration shall also be noted on the bonds, after which no transfer shall be valid unless made by the state treasurer on the books of registration and similarly noted on the bonds. Bonds registered as to principal may be discharged from registration by being transferred to bearer, after which they shall be transferable by delivery; but may again, and from time to time, be registered as to the principal amount as before. The registration of coupon bonds as to the principal sum shall not affect the negotiability of the interest coupons, but title to the same shall pass by delivery.

Acts 1923, c. 14, § 16; Acts 1990, 3rd Ex. Sess., c. 5; Acts 1998, c. 320, eff. March 14, 1998.

Library References

Key Numbers

Counties \$185.

Municipal Corporations \$936.

Schools \$97(6).

Westlaw Key Number Search

Westlaw Key Number Searches: 104k185; 268k936; 345k97(6).

Encyclopedias

C.J.S. Counties § 222.

C.J.S. Municipal Corporations § 1700.

C.J.S. Schools and School Districts § 551.

Notes of Decisions

Bond registration 1 Mandamus 2

1. Bond registration

Statutes authorizing a bond-issuing authority to have bonds payable at the office of the State Treasurer and at such other places that the bond-issuing authority may designate provides sufficient authority to permit bonds to be registered at place of payment. Code, 13-1-14, 13-2-2; 26 U.S.C.A. § 103(j). Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Bonds = 113

"Registration of a bond" means that it is payable to a designated person rather than payable generally to the bearer. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Bonds \$\infty\$ 113

2. Mandamus

Once it is determined that a bond issue authorized by a governmental agency is lawful, mandamus will lie to compel secretary of the agency or other ministerial official responsible for executing the necessary documents to execute such documents. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Mandamus \$\infty\$ 103

§ 13-1-18. Registration of coupon bonds as to interest; exchange of registered bond for coupon bond

Coupon bonds may also be registered as to the interest by the holder surrendering the bonds with the unpaid coupons attached, which bonds and coupons shall be canceled by the state treasurer. New bonds of the same date and tenor and for the same amounts as the bonds surrendered, or, at the option of the holder, a single bond for the aggregate amount of the bonds surrendered, but without interest coupons attached, shall be issued in the place of the coupon bonds and registered in the manner required in the preceding section. A registered bond may at any time be surrendered and be exchanged by the holder for a coupon bond by the holder delivering the registered bond to the state treasurer who shall cancel the same and who shall cause a new bond of the same date and tenor and for the same amount to be issued, and with interest coupons for the interest thereafter to accrue thereon attached, and deliver the same to the holder of the surrendered bond. The governing body of the county, municipal corporation or school district which issued the original bond shall issue and execute the new bond required by this section and shall pass the resolutions and ordinances necessary to authorize the same. The expense of such registration shall in all cases be paid by the holder of the bonds.

Acts 1923, c. 14, § 17; Acts 1990, 3rd Ex. Sess., c. 5; Acts 1998, c. 320, eff. March 14, 1998.

Library References

Key Numbers

Encyclopedias

Counties €=185.

C.J.S. Counties § 222.

Municipal Corporations 936.

C.J.S. Municipal Corporations § 1700.

Schools \$\infty97(6).
Westlaw Key Number Searches: 104k185;

268k936; 345k97(6).

C.J.S. Schools and School Districts § 551.

§ 13-1-19. Signing, sealing and delivery of bonds and coupons

All bonds issued under this article by any county shall be signed by the president of the county court and countersigned by the clerk of such court; bonds issued by any municipality shall be signed by the mayor or other chief executive and countersigned by the clerk, recorder or secretary; bonds issued by a district or independent school district shall be signed by the president of the board of education and countersigned by the secretary thereof. The seal of the political division shall be affixed to such bonds. Interest coupons shall be signed by the facsimile signatures of such officers. The delivery of any bonds or coupons so executed at any time thereafter shall be valid, although before the date of delivery the person signing such bonds or coupons shall have ceased to hold office.

Acts 1923, c. 14, § 18.

W.Va. Const., art. IX, § 9, redesignated the office of the county court as county commission.

Library References

Key Numbers

Encyclopedias

Counties ≈183(1).

C.J.S. Counties § 222.

Municipal Corporations \$\infty927\$.

C.J.S. Municipal Corporations § 1699.

Schools €97(6). Westlaw Key Number Searches: 104k183(1); C.J.S. Schools and School Districts § 551.

268k927; 345k97(6).

Notes of Decisions

In general 1

1. In general

Issuance of refunding bonds to retire existing bonds under the Refunding Bond Act does not create a new indebtedness, and levies to provide debt service for new refunding bonds may be laid to the same extent and with like effect as they could have been laid for the original bonds. Code, 13-1-19, 13-2-1 to 13-2-9; Const. Art. 10, §§ 8, 10. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools ← 97(1)

§ 13-1-20. Imposition and collection of tax to pay bonds and interest

It shall be the duty of the governing body of any political division, at or before the time of issuing bonds under this article, to provide for the imposition and collection annually of a tax, in excess of all other taxes, on all property subject to taxation by the political division under the Constitution and laws of this State, sufficient in amount to pay annually the interest on such debt and the principal thereof falling due in each year, such tax to be levied and collected by the same officers, at the same time and in the same manner as the general taxes of the political division. Should any political division neglect or

fail for any reason to impose or collect such tax for the payment of the principal or interest of any bonded indebtedness incurred under this article, any person in interest or the state tax commissioner may enforce the imposition and collection thereof in any court having jurisdiction of the subject matter, and any suit, action or proceeding brought for such purpose shall be heard and disposed of with reasonable dispatch.

Acts 1923, c. 14, § 19.

Library References

Key Numbers

Counties €=188.

Municipal Corporations €=955(1).

Schools \$\sim 97(10).

Westlaw Key Number Searches: 104k188; 268k955(1); 345k97(10).

Encyclopedias

C.J.S. Counties § 226.

C.J.S. Schools and School Districts § 556.

Notes of Decisions

Bond levy 1

1. Bond levy

Special bond levy is set annually based upon current year's appraised values, as evidenced by statute requiring bond-issuing authority to pay annually interest on such debt and principal thereof falling due in each year, such tax to be levied and collected by same officers, at same time and in same manner as the general taxes of the political division. Code, 13–1–4, 13–1–20. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools 106

§ 13-1-21. Advertisement and sale of bonds

The governing body of the political division issuing such bonds shall sell the same and collect the proceeds, which proceeds shall be deposited with its treasurer. The governing body of the political division shall advertise such bonds for sale, on sealed bids, which advertisement shall be published as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code, and the publication area for such publication shall be the political division. The first publication shall be made at least fourteen days before the date fixed for the reception of bids. Such advertisement shall also be published in a financial paper published either in the city of New York or the city of Chicago, or in a newspaper published in a city of this state having a population of not less than twenty thousand inhabitants, according to the last federal census. The governing body may reject any and all bids. If the bonds be not sold pursuant to such advertisement, they may within one hundred twenty days after the date advertised for the reception of bids, be sold by the governing body at private sale, but no private sale shall be made at a price less than the highest bid which shall have been received. If not sold, such bonds shall be readvertised in the manner herein provided. In no event shall bonds be sold for less than their par value.

Acts 1923, c. 14, § 20; Acts 1967, c. 105; Acts 1981, 1st Ex. Sess., c. 2; Acts 1992, c. 29.

Library References

Key Numbers

Municipal Corporations ←921. Schools ←97(5).

Counties €182.

170

Westlaw Key Number Searches: 104k182; 268k921; 345k97(5).

ncyclopedias C.J.S. Counties § 225. C.J.S. Municipal Corporations §§ 1679 to 1682.

C.J.S. Schools and School Districts §§ 546 to 548, 550, 554.

Notes of Decisions

Sale at discount 1

Sale at discount Discount sale of a refunding bond is not propibited under the Refunding Bond Act. Code, 3-2-1 to 13-2-9. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Schools \$\sim 97(5)\$

In the absence of some constitutional or statutory prohibition, right to sell bonds carries with it the right to sell at a discount. Board of Educ. of Hancock County v. Slack, 1985, 327 S.E.2d 416, 174 W.Va. 437. Bonds 🖘 84

§ 13-1-22. Purposes for which proceeds to be used; purchaser need not see to application thereof

The proceeds derived from the sale of any bonds shall be used only for the purpose or purposes for which the bonds were issued as set out in the order or ordinance submitting the question to vote, but the purchaser of the bonds shall not be obliged to see to the application thereof.

Acts 1923, c. 14, § 21.

Library References

Key Numbers

Counties €182.

Municipal Corporations \$\sim 921(3).

Schools \$\sim 97(5).

Westlaw Key Number Searches: 104k182;

268k921(3); 345k97(5).

Encyclopedias

C.J.S. Counties § 225.

C.J.S. Municipal Corporations §§ 1683 to

1685, 1697 to 1698.

C.J.S. Schools and School Districts §§ 546 to 548, 550, 554.

Notes of Decisions

In general 1

1. In general

Innocent purchaser of waterworks bonds had no duty to see to proper application of proceeds

of bond sales, in absence of knowledge of any infirmity and facts showing actual bad faith. Code W.Va. 13-1-22. St. Paul Fire & Marine Ins. Co. v. Town of Monongah, W. Va., 1962, 209 F.Supp. 514. Municipal Corporations @ 948(7)

§ 13-1-23. No law, order, ordinance, resolution, proceeding or publication necessary except as prescribed by this article

This article shall, without reference to any other act of the legislature, be full authority for the issuance and sale of bonds in this article authorized. No order, ordinance, resolution or proceeding in respect to the issuance of any bond under this article shall be necessary, except such as are required by this article. No publication of any order, ordinance, resolution or proceeding relating to the issuance of such bonds shall be necessary except such as is required by this article. Any publication prescribed hereby may be made in any newspaper conforming to the terms of this article, without regard to designation thereof as the official journal of the political division.

Acts 1923, c. 14, § 22.

Library References

Key Numbers

Encyclopedias

Counties ≈180.

C.J.S. Counties § 221.

Municipal Corporations €917.

C.J.S. Counties § 221.

Schools €97(4.5).

C.J.S. Municipal Corporations §§ 1658 to

Westlaw Key Number Searches: 104k180; 268k917; 345k97(4.5).

C.J.S. Schools and School Districts § 530.

§ 13-1-24. Legal status of bonds

Bonds issued under this article, except to the extent that their status shall be affected by registration made in pursuance of this article, shall have all the qualities of negotiable paper under the law merchant and shall not be invalid for any irregularity or defect in the proceedings for the issuance thereof, and shall be incontestable in the hands of bona fide purchasers or holders thereof for value.

Acts 1923, c. 14, § 23.

Library References

Key Numbers

Encyclopedias

Counties \$\infty\$183(3).

Municipal Corporations \$\infty\$948.

C.J.S. Counties § 222.

Schools \$\infty\$97(8).

C.J.S. Municipal Corporations § 1723.

Schools \$\infty 97(8).

Westlaw Key Number Searches: 104k183(3); 268k948; 345k97(8).

C.J.S. Schools and School Districts § 553.

§ 13-1-25. Copy of proceedings to be transmitted to attorney general for approval or disapproval; publication of approval or disapproval

The governing body of any political division issuing bonds under this article shall, as soon as practicable after the result of the election authorizing their issuance shall have been officially ascertained, transmit to the attorney general a duly certified copy of all orders, ordinances, proclamations, notices, advertisements, affidavits, resolutions and records of all the proceedings connected with or pertaining to such bond issue, and any other matters relative thereto which the attorney general may require. The attorney general shall thereupon either approve or disapprove the validity of such bond issue, and shall immediately notify the governing body of the political division which authorized the issuance of the bonds of his action by mail, and as soon as practicable notify the people of such political division of his approval or disapproval of such bond issue, by causing notice thereof to be published as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this Code, and the publication area for such publication shall be the political division.

Acts 1923, c. 14, § 24; Acts 1967, c. 105.

Library References

Key Numbers

Counties €183(4).

Municipal Corporations ←917(2). Schools ←97(4.5).

Westlaw Key Number Searches: 104k183(4); 268k917(2); 345k97(4.5).

Encyclopedias C.J.S. Counties § 223. C.J.S. Municipal Corporations §§ 1662 to 1663.

C.J.S. Schools and School Districts § 530.

Notes of Decisions

Determination by attorney general 2 Judicial review 3 Powers and duties of attorney general 1

. 1

Where Attorney General had no power to pass on validity of an agreement between Board of Education and town affecting title to land to be purchased from proceeds of a bond issue, Supreme Court of Appeals in reviewing decision of Attorney General disapproving bond issue could not determine the validity of agreement but was confined to determining whether proper procedural steps were taken with respect to proposed bond issue. Code 13–1–25, 13–1–26. State ex rel. Town of South Charleston v. Partlow, 1949, 55 S.E.2d 401, 133 W.Va. 139. Municipal Corporations \$\infty\$ 917(2)

Power of Attorney General in approving or disapproving validity of a proposed bond issue was restricted to passing upon procedural steps taken by political subdivision and Attorney General had no power to pass on validity of a contract and agreement affecting title to land to be purchased from proceeds of bond issue. Code, 13–1–25. State ex rel. Town of South Charleston v. Partlow, 1949, 55 S.E.2d 401, 133 W.Va. 139. Attorney General © 6

2. Determination by attorney general

Where record disclosed no actual defect in submission of bond issue to voters of town and ascertainment of result of election held pursuant to such submission and no irregularity was disclosed in proposed issuance of bonds, proposed bond issue would be held valid on review of Attorney General's decision disapproving bond issue without regard to proposed expenditure of funds to be raised from sale of bonds. Code, 13–1–25, 13–1–26. State ex rel. Town of

South Charleston v. Partlow, 1949, 55 S.E.2d 401, 133 W.Va. 139. Municipal Corporations $\rightleftharpoons 917(2)$

3. Judicial review

Under statutory proceeding for review of Attorney General's approval or disapproval of bond issues, court generally will not undertake supervision of expenditure of funds to be procured as result of bond issue. Code, 13-1-25. State ex rel. Town of South Charleston v. Partlow, 1949, 55 S.E.2d 401, 133 W.Va. 139. Municipal Corporations \$\infty\$ 917(2)

The statutes pertaining to county bond issues contemplate that when an Attorney General has ruled as to validity of bond issue, his action may be reviewed by Supreme Court of Appeals. Code 1931, 13-1-25, 13-1-26. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Counties \$\infty\$ 183(4)

A holding by the Supreme Court of Appeals that action of Acting Attorney General in sustaining county bond issue on papers submitted to him should be upheld would not oust circuit court of county of its jurisdiction to finally hear and determine suit to contest election and enjoin issuance and sale of such bonds. Code 1931, 13–1–4, 13–1–25 to 13–1–27. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Courts ⇔ 107

Upon reversal by Supreme Court of Appeals of Acting Attorney General's approval of bond issue on ground that election was invalid because of defect in county court order submitting bond issue to voters, issues in equity suit seeking to contest election and enjoin issuance and sale of bonds became "moot". Code 1931, 13-1-4(e), 13-1-25, 13-1-26. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Action ← 6

§ 13-1-26. Review in supreme court of appeals of action of attorney general

For a period of ten days from and after the date of the last publication of the notice of the attorney general of his action in approving or disapproving the validity of any bond issue as provided in the preceding section, any person in interest, or any taxpayer within the political division for which the bonds are authorized to be issued, may present his or its petition to the supreme court of appeals or to a judge thereof in vacation, praying that the action of the attorney general in approving or disapproving such bond issue, as aforesaid, be reversed

or modified; and if the court, or such judge thereof in vacation, be of the opinion to hear and determine the matters in such petition set out, the case shall be proceeded with as in cases of original jurisdiction; but the petitioner shall file with the clerk of the court a bond, with security to be approved by him, and in such sum as the court or judge may fix, for the payment of such costs as may be awarded against him in said court. The clerk of the court shall forthwith notify the attorney general and the governing body of the political division which authorized the issuance of the bonds of the action taken by the court or judge in vacation upon such petition, and for the hearing thereof the attorney general shall file with the clerk of said court all papers, documents, evidence and records, or certified copies thereof, which were before him and on which he based his approval or disapproval; and before the day fixed for final hearing, he shall file with the clerk of said court a written statement of his reasons for the approval or disapproval of the bond issue. Upon the submission of the case, the court shall decide the matters in controversy and enter such order thereon as to it may seem to be just.

Acts 1923, c. 14, § 24.

Library References

Key Numbers

Counties \$\inspec\$183(4).

Municipal Corporations \$\inspec\$917(2).

Schools \$\inspec\$97(4.5).

Westlaw Key Number Searches: 104k183(4); 268k917(2); 345k97(4.5).

Encyclopedias

C.J.S. Counties § 223.

C.J.S. Municipal Corporations §§ 1662 to 1663.

C.J.S. Schools and School Districts § 530.

Notes of Decisions

Adequacy of submission to voters 4
Construction and application 1
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Effect of determination by supreme court 5
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Petitions for review 2
Scope of judicial review 3

1. Construction and application

The statutes pertaining to county bond issues contemplate that when an Attorney General has ruled as to validity of bond issue, his action may be reviewed by Supreme Court of Appeals. Code 1931, 13–1–25, 13–1–26. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Counties ← 183(4)

2. Petitions for review

In statutory proceeding to review action of Attorney General approving municipal bond issue, amended and supplemental petitions filed after expiration of ten days provided for appeal after last date of publication of Attorney General's notice approving or disapproving bond issue, would be considered as seasonable where defendant was not prejudiced. Code, 13–1–26.

Baxa v. Partlow, 1949, 54 S.E.2d 825, 132 W.Va. 859. Municipal Corporations ← 917(2)

Where supplemental and amended petition seeking reversal of Attorney General's approval of bond issue by municipality did not add new parties to proceeding and alleged only occurrences since filing of original petition, not included in file forwarded to Attorney General upon which his approval was based, allegations did not go to the merits. Code, 13–1–26. Baxa v. Partlow, 1949, 54 S.E.2d 825, 132 W.Va. 859. Municipal Corporations \$\infty\$ 917(2)

3. Scope of judicial review

Where Attorney General had no power to pass on validity of an agreement between Board of Education and town affecting title to land to be purchased from proceeds of a bond issue, Supreme Court of Appeals in reviewing decision of Attorney General disapproving bond issue could not determine the validity of agreement but was confined to determining whether proper procedural steps were taken with respect to proposed bond issue. Code 13–1–25, 13–1–26. State ex rel. Town of South Charleston v. Partlow, 1949, 55 S.E.2d 401, 133 W.Va. 139. Municipal Corporations \$\infty\$ 917(2)

4. Adequacy of submission to voters

Where record disclosed no actual defect in submission of bond issue to voters of town and ascertainment of result of election held pursuant to such submission and no irregularity was disclosed in proposed issuance of bonds, proposed bond issue would be held valid on review of Attorney General's decision disapproving bond issue without regard to proposed expenditive of funds to be raised from sale of bonds. Code, 13–1–25, 13–1–26. State ex rel. Town of South Charleston v. Partlow, 1949, 55 S.E.2d 401, 133 W.Va. 139. Municipal Corporations ⇔ 917(2)

Municipal bond issue proposal submitted to voters by common council, was not required to contain statement that city would be provided with sufficient revenue to pay its costs and keep aggregate levies within legal limits, including those authorized to satisfy bonded indebtedness authorized by election order. Code, 13-1-4, 13-1-26. Baxa v. Partlow, 1949, 54 S.E.2d 825, 132 W.Va. 859. Municipal Corporations

A city bond issue for different projects cannot be sustained unless ordinance submitting proposed issue to vote of people clearly specifies amounts to be used for the several projects, respectively. Code 1931, 13-1-6. State ex rel. Davenport v. Meadows, 1938, 199 S.E. 883, 120 W.Va. 602. Municipal Corporations \$\infty\$ 918(2)

Where ordinance submitting a municipal bond issue for people's approval proposed in effect that approximately 55 per centum of cost of each of three municipal projects, to be financed in part by federal grant, should be paid for out of proceeds of sale of bonds, but form of ballot used at election provided for expenditure of larger sums on two of projects, there was failure of substantial compliance with statute requiring specification in ordinance of amounts to be used for each project, and bonds were improperly approved by Attorney General. Code 1931, 13–1–6. State ex rel. Davenport v. Meadows, 1938, 199 S.E. 883, 120 W.Va. 602. Municipal Corporations \(\infty\) 918(2)

5. Effect of determination by supreme court

A holding by the Supreme Court of Appeals that action of Acting Attorney General in sustaining county bond issue on papers submitted to him should be upheld would not oust circuit court of county of its jurisdiction to finally hear and determine suit to contest election and enjoin issuance and sale of such bonds. Code

1931, 13–1–4, 13–1–25 to 13–1–27. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Courts ← 107

Upon reversal by Supreme Court of Appeals of Acting Attorney General's approval of bond issue on ground that election was invalid because of defect in county court order submitting bond issue to voters, issues in equity suit seeking to contest election and enjoin issuance and sale of bonds became "moot". Code 1931, 13–1–4(e), 13–1–25, 13–1–26. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Action ← 6

6. Declaratory relief

Where board of education conveyed land to town in consideration that town would deliver lease if land were conveyed to United States and reconveyed to town, and thereafter United States condemned land, and town made conditional offer to repurchase which was accepted, but town before spending money raised by bond issue to effect the repurchase sought to compel board to release town from leasing agreement or for declaratory relief, no "justiciable controversy" was presented and court was without jurisdiction to pronounce any decree except one of dismissal, notwithstanding doubt as to whether funds could be applied to purchase of land subject to leasing agreement. Acts 1941, c. 26; Code, 13-1-25, 26. Town of South Charleston v. Board of Ed. of Kanawha County, 1948, 50 S.E.2d 880, 132 W.Va. 77. Declaratory Judgment = 186

7. Mandamus

Under Acts 1917, c. 57, § 3, Code Supp.1918, c. 47a, § 7a III (section 2501c), the Supreme Court of Appeals may by mandamus or other original writ review and control the judgment of the attorney general in approving a proposed bond issue of the county court of Marshall county for building and improving certain roads of Cameron district therein, as his duties therein under Acts 1917, c. 66, Code Supp.1918, c. 43, §§ 1-82, 83-183 (sections 1940-1 to 1940-82, 1940-83 to 1940-183), making him legal adviser of state road commission created thereby and requiring him to prepare for it all contracts, etc., when required, are only supervisory and ministerial, without discretion to act unlawfully or arbitrarily. State ex rel. Allen v. England, 1920, 103 S.E. 400, 86 W.Va. 508. Mandamus

§ 13-1-27. Bond issue and tax to pay bonds to be incontestable upon failure to file petition for review or dismissal thereof

If no person in interest or taxpayer shall within ten days from and after the date of the last publication of the notice of the attorney general of his action in

approving or disapproving the validity of any bond issue, as provided in this article, present his or its petition to the supreme court of appeals or to a judge thereof in vacation praying that the action of the attorney general be reversed or modified, as hereinbefore provided, or if such petition be filed and the court or judge be of the opinion not to hear and determine the matters in such petition set out, the action of the attorney general shall be final and no other appeal shall be allowed therefrom; and the bond issue approved by him shall become incontestable and shall be a valid and binding obligation upon the authority issuing the same and upon the taxable property within the political division which authorized the bond issue by the vote of the people therein; and no one shall thereafter have the right to contest in any court or in any action or proceeding the legality of any election held under this article, the bond issue provided for, or the tax required to pay the same, for any cause whatsoever.

Acts 1923, c. 14, § 24.

Library References

Key Numbers

Counties \$\infty\$183(3).
Municipal Corporations \$\infty\$948.

Schools ←9.7(8). Westlaw Key Number Searches: 104k183(3);

268k948; 345k97(8).

Encyclopedias

C.J.S. Counties § 222.

C.J.S. Municipal Corporations § 1723.

C.J.S. Schools and School Districts § 553.

Notes of Decisions

In general 1

1. In general

A holding by the Supreme Court of Appeals that action of Acting Attorney General in sustaining county bond issue on papers submitted to him should be upheld would not oust circuit court of county of its jurisdiction to finally hear and determine suit to contest election and enjoin issuance and sale of such bonds. Code 1931, 13–1–4, 13–1–25 to 13–1–27. Sessler v. Partlow, 1943, 27 S.E.2d 829, 126 W.Va. 232. Courts ≈ 107

General obligation bonds issued by city of Grafton, proceeds of which were to be used by defraying a part of expenses of completing hospital owned by city, were valid, in view of manner in which election authorizing issuance of bonds was conducted, and that validity of bond issue was approved by attorney general and copy of his approval published in two newspapers of opposite politics and that no petition praying that attorney general's action be reversed was filed. Code 1931, 13-1-27. Warden v. City of Grafton, 1943, 26 S.E.2d 1, 125 W.Va. 658. Municipal Corporations \(\infty\) 918(4)

§ 13-1-28. Indorsement on bonds by attorney general

After ten days shall have elapsed from and after the date of the last publication of the attorney general's notice provided for in section twenty-five of this article, if no proceeding be pending to have his approval of the bond issue reversed and modified, the attorney general shall indorse upon each and every bond of the issue so approved by him his certificate to the effect that such bond has been approved by him by virtue of the authority vested in him by this article; that notice of his approval was published as required by section twenty-five of this article; that ten days have elapsed since the date of the last publication of such notice; that there has been no appeal from his decision to the supreme court of appeals; and that the bond has become incontestable and is a binding obligation upon the authority issuing the same and upon the taxable property within the political division, and that the validity of such bond

shall not be contested thereafter in any court or in any action or proceeding for any cause whatsoever.

Acts 1923, c. 14, § 24.

Library References

Key Numbers

Encyclopedias

Counties €=183(2).

C.J.S. Counties § 222.

Municipal Corporations \$\sim 927.

C.J.S. Municipal Corporations § 1699.

Schools \$\sim 97(6).

Westlaw Key Number Searches: 104k183(2); 268k927; 345k97(6).

C.J.S. Schools and School Districts § 551.

§ 13-1-29. Costs of proceedings and expenses of attorney general to be paid out of proceeds of bonds or general fund

The cost of publishing the notice to taxpayers as herein provided, and the costs of certifying and copying all records, papers and proceedings to be used by the attorney general in passing upon the validity of the bond issue, and all necessary expense incurred by the attorney general in connection with any bond issue, shall be paid by the authority issuing such bonds out of the proceeds arising from the sale thereof, if the same be finally approved, and if the bond issue be disapproved, such expense shall be paid out of the general fund of such authority.

Acts 1923, c. 14, § 24.

§ 13-1-30. Files and records to be kept by attorney general

The attorney general shall keep on file in his office the papers pertaining to any bond issue submitted to him, and shall record his findings of approval or disapproval in a well bound book kept for that purpose in his office, which shall be open for inspection by anyone in interest during business hours.

Acts 1923, c. 14, § 24.

§ 13-1-31. Proceedings to issue bonds under authority of prior statutes; debts heretofore incurred

Nothing contained in this article shall affect in any way proceedings heretofore begun by the governing body of any political division to issue bonds under the authority of any statutes of this State heretofore in force. Such proceedings may be completed under the statute under which the same were begun and under the provisions of this article so far as the same can be made applicable thereto. Nor shall anything contained in this article invalidate any indebtedness heretofore incurred under a law then existing.

Acts 1923, c. 14, § 25.

§ 13-1-32. Amount of indebtedness authorized by § 13-1-3 may be increased by special act as to municipalities and independent school districts; bonds for assessments against abutting property excepted from this article

Notwithstanding the provisions of section three of this article, when by a special act of the legislature any municipality or independent school district is authorized to become indebted for any purpose or purposes in a greater amount than is fixed by said section three, bonds may be issued under this article by such municipality or independent school district in an amount not exceeding that fixed by such special act. This article shall not affect any general or special law providing for the issuing of bonds for any improvement to be paid for in whole or in part by assessment against abutting property. Acts 1923, c. 14, § 26.

Library References

Key Numbers

Counties €173.1.

Municipal Corporations \$\inspec\$914.

Schools \$\sim 97(3).

Westlaw Key Number Searches: 104k173.1; 268k914; 345k97(3).

Encyclopedias

C.J.S. Counties § 219.

C.J.S. Municipal Corporations §§ 1654, 1656

to 1657.

C.J.S. Schools and School Districts §§ 525 to 526.

§ 13-1-33. Bonds exempt from taxation

All bonds of the State of West Virginia or of any political subdivision thereof issued hereunder, or under the provisions of chapter eight of this Code, shall be exempt from all taxation by the State or by any political subdivision thereof.

Library References

Key Numbers

Taxation \$=218.

Westlaw Key Number Search: 371k218.

Encyclopedias

C.J.S. Taxation § 260.

Notes of Decisions

In general 1

1. In general

Bonds issued by the political subdivisions of this state, not exempted from taxation by law or

by contract, are taxable by the state in the same manner as other property. State v. Page, 1925, 130 S.E. 426, 100 W.Va. 166, 44 A.L.R. 501.

Taxation ← 190

§ 13-1-34. Bonded indebtedness of school districts; annual tax to be levied and collected to pay same; definition of value

(a) Notwithstanding any other provision of this article or of any other law to the contrary, every school district, by and through its board of education, shall levy and collect in each year a direct annual tax on all taxable property in such school district sufficient to pay the principal and interest maturing in such year, together with any deficiencies for prior years, within, and not exceeding thirty-four years, on any bonded indebtedness of such school district, now or hereafter contracted, not to exceed five percent of the value of the taxable property

herein to be ascertained in accordance with section 8, article X of the constitution, which levies shall be laid separate and apart and in addition to maximum rates provided for tax levies by school districts on the several classes of property specified in section 1, article X of the Constitution, but in the proportions as such maximum rates are levied on the several classes of property, and which tax may be levied outside the limits fixed by said section 1, article X of the Constitution.

(b) The term "value" as used in this section and in section 8, article X of the Constitution, is used in the same context that the term "value" is used in section 1, article X of the Constitution, and means the "worth in money" of a piece of property—its market value for ad valorem property tax purposes. Acts 1959, c. 132; Acts 1988, 3rd Ex. Sess., c. 7.

Library References

Key Numbers

Schools €97(9). Westlaw Key Number Search: 345k97(9). Encyclopedias

C.J.S. Schools and School Districts § 555.

Notes of Decisions

In general 1

1. In general

The better schools amendment of constitution related only to levies for public school purposes, and did not authorize an airport bond levy in excess of maximum limits authorized by tax limitation amendment to the constitution, and

statute, to extent it undertook to confer additional levying power upon county courts was unconstitutional, and levies made by county court in pursuance thereof were invalid. Const. art. 10, § 10; Code, 13–1–35. Appalachian Power Co. v. County Court of Mercer County, 1961, 118 S.E.2d 531, 146 W.Va. 118. Counties \$\inspec 190.2\$

§ 13-1-35. Bonded indebtedness of counties, magisterial districts and municipal corporations; levy and collection of taxes to pay same

Notwithstanding any other provisions of this article or any other law to the contrary, every county, by and through its county court, either for or on behalf of the county, or for and on behalf of any magisterial district, or any group of magisterial districts therein, and any municipal corporation, by and through its council or other governing body in lieu thereof, shall levy and collect in each year a direct annual tax on all the taxable property in such county, magisterial district or districts, or municipality sufficient to pay the principal and interest maturing in such year, together with any deficiencies for prior years, within, and not exceeding thirty-four years, on any bonded indebtedness of such county, magisterial district or districts, or municipality, as the case may be, now or hereafter contracted, not to exceed in the aggregate five percent of the value of the taxable property therein, to be ascertained in accordance with section 8, article X of the Constitution, which levies shall be laid separate and apart and in addition to the maximum rates provided for tax levies by such counties, magisterial district or districts, or municipalities, as the case may be, on the several classes of property specified in section 1, article X of the Constitution, but in the same proportions as such maximum rates are levied on the several classes of property, and which tax may be levied outside the limits fixed by said section 1, article X of the Constitution.

The order of the county court, either for or on behalf of the county or for and on behalf of any magisterial district, or any group of magisterial districts therein, or of any municipal corporation, by its council or other governing body in lieu thereof, hereafter adopted calling an election on the issuance of bonds of such county, magisterial district or districts, or municipality, as the case may be, which together with the existing bonded indebtedness of such county, magisterial district or districts, or municipality, as the case may be, will not exceed in the aggregate five percent of the value of the taxable property in such county, magisterial district or districts, or municipality, as the case may be, the value to be ascertained in accordance with section 8, article X of the Constitution, shall contain a statement in substantially the following form:

Such bonds, together with all existing bonded indebtedness of such county, magisterial district or districts, or municipality, as the case may be, will not exceed in the aggregate five percent of the value of the taxable property in such county, magisterial district or districts, or municipality, as the case may beascertained in accordance with section 8, article X of the Constitution; and that such bonds will be payable from a direct annual tax levied and collected in each year on all taxable property in such county, magisterial district or districts, or municipality, as the case may be, sufficient to pay the principal and interest maturing on such bonds in such year, together with any deficiencies for prior years, within, and not exceeding thirty-four years, which tax levies will be laid separate and apart and in addition to the maximum rates provided for tax levies by counties, magisterial district or districts, or municipalities, as the case may be, on the several classes of property specified in section 1, article X of the Constitution, but in the same proportions as such maximum rates are levied on the several classes of property; and said tax may be levied outside the limits fixed by section 1, article X of the Constitution.

Acts 1959, c. 133.

W.Va. Const., art. IX, § 9, redesignated the office of the county court as county commission.

Library References

Key Numbers

Counties \$\infty\$190.2.

Municipal Corporations \$\infty\$964.

Westlaw Key Number Searches: 104k190.2; 268k964.

Encyclopedias

C.J.S. Counties § 227.

C.J.S. Municipal Corporations §§ 1745 to 1746.

Notes of Decisions

In general 1

i. In general

The better schools amendment of constitution related only to levies for public school purposes, and did not authorize an airport bond levy in excess of maximum limits authorized by tax limitation amendment to the constitution, and

statute, to extent it undertook to confer additional levying power upon county courts was unconstitutional, and levies made by county court in pursuance thereof were invalid. Const. art. 10, § 10; Code, 13–1–35. Appalachian Power Co. v. County Court of Mercer County, 1961, 118 S.E.2d 531, 146 W.Va. 118. Counties

West's Annotated Code of West Virginia

Using the Classification and Numbering System of the 1931 Code of West Virginia, as Amended

Chapters 12 to 15

2010 Cumulative Annual Pocket Part

Replacing 2009 Pocket Part supplementing 2002 Main Volume

Includes laws through the 2010 Regular Session



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Validity

This Act has been held unconstitutional in the case of Perdue v. Wise, 607 S.E.2d 424, 216 W.Va. 318. See Notes of Decisions.

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of the Judicial Retirement System, State Troopers Retirement System, and the Teachers Retirement System, was unconstitutional, in that implementation; retirement funds were currently actuarially tion of its provisions would result in violation of its provisions would result in violation of its provisions would result in violation of its provisions.

Validity 1 State's issuance of \$3.9 billion in general revenue bonds pursuant to the Pension Liability Redemption Act, in order to "redeem" the unfunded actuarial accrued liability (UAAL) of the Judicial Refirement System State Tropper Refirement Pension Liability Redemption Act, authorizing Retirement System, State Troopers Retirement System, and the Teachers Retirement System, did ssuance of general revenue bonds for the redemp- not redeem a "previous liability of the State" with tion of unfunded actuarial accrued liability (UAAL): in meaning of exception to constitutional ban on the State incurring debt, and thus issuance of the bonds violated debt clause of the State constitudebt clause of the State constitution. Perdue v. resulting from the actual discharge of debt attrib-Wise, 2004, 607-S.E.2d 424, 216 W.Va. 318. States — utable to the funds. Perdue v. Wise, 2004, 607 ⇔ 64.1(2), States ≈ 115.5 ... 15.0 ...

CHAPTER 13

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§ 13-1-2. Purposes for which bonds may be issued with the control of the control

3 13-1-2: Furposes for which bonds may be issued in the street of acquiring. constructing and erecting, enlarging, extending, reconstructing or improving any building, work, utility or undertaking, or for furnishing, equipping and acquiring or procuring the

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necessary apparatus for any building, work, improvement or department, or for establishing and maintaining a library or museum for the public use, or a building or structure for educational purposes, or acquiring a recreation park for the public use, or for acquiring, constructing, furnishing, equipping and maintaining civic arenas, auditoriums, exhibition halls and theaters, or for other similar corporate purpose, or for the acquiring, constructing, maintaining, repairing, improving public roads and transportation facilities, for which the political division is authorized to levy taxes or expend public money. But no bonds shall be issued for the purpose of providing funds for the current expenses of any body or political division. Interest accruing during the construction period, that is to say, the time when an improvement is under construction and six months thereafter, shall be deemed a part of the cost of the improvement, and shall not be deemed current expenses. All engineering and inspection costs, including a proper proportion of the compensation, salaries and expenses of the engineering staff of the political division properly chargeable to any work or improvements, as determined by the governing body, or the estimated amount of such costs, shall be deemed part of the cost of an improvement. All costs and estimated costs of the issuance of bonds shall be deemed a part of the cost of the work or improvement, or of the property, or of the carrying out of the purposes for which such bonds are to be issued. The power to acquire or construct any building, work or improvement as herein provided shall be deemed to include the power to acquire the necessary lands, sites and rights-of-way therefor.

Bonds may also be issued by any municipality having a population of fifty thousand or more or by any county for the purpose of acquiring land and constructing a building or buildings for use and occupancy as a college. The proposal for such a bond issue shall contain a provision that there shall be created a commission or committee for the purpose of operating the building or buildings and for renting the same for an amount sufficient to pay the interest and sinking fund on the bonds proposed to be issued, and shall contain a further provision that in the event a sufficient amount is not realized from rent or rents for the purpose of meeting the debt service, then the city or county shall lay a levy for such purpose in an amount sufficient within the constitutional and statutory limitation to pay the interest and principal on such bonds as the same become due and payable. The proposal may also contain a provision that when the bonds and the interest thereon shall have been paid, then the title to the land and the building or buildings situated thereon may be transferred to the college to which the same have been rented.

Acts 1923; c. 14, § 2; Acts 1941, c. 8; Acts 1945, c. 17; Acts 1974, c. 8; Acts 2010, c. 199; eff. June 11, 2010

Notes of Decisions. School board purchases 4

4. School board purchases

County board of education may not issue general obligation bonds to purchase text books 51 W.Va. Op.Ätty.Gen. 323 (May 28, 1965) 1965 WL 92447.

§ 13-1-4. Bond issue proposal to be submitted to voters; election order

No debt shall be contracted or bonds issued under this article until all questions connected with the same are first submitted to a vote of the qualified electors of the political division for which the bonds are to be issued, and receive three fifths of all the votes cast for and against the same: Provided. That a county beard of education may contract indebtedness and issue bonds for public school purposes when submitted to a vote of the people of the county if the question of contracting indebtedness and issuing bonds is approved by a majority of all the votes cast for and against the same pursuant to section ten, article X of the constitution. The governing body of any political division referred to in this article may, and when requested so to do by a petition in writing, praying that bonds be issued and stating the purpose and amount thereof, signed by legal voters of the political division equal to twenty percent of the votes cast in a county for Governor, or in a municipal corporation or school district for mayor or member of the board of education, as the case may be, shall, by order entered of record, direct that an election be held for the purpose of submitting to the voters of the political

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division all questions connected with the contracting of debt and the issuing of bonds. The order shall state: opter (p. aucotno) Yn sae (i. 🔻

- (a) The necessity for issuing the bonds or, if a petition has been filed as provided herein, that the petition has been filed;
- (b) If for the construction of a county-district road or bridge thereon, a summary of the engineer's report provided for in the following section setting forth the approximate extent and the estimated cost of the proposed improvement and the kind or class of work to be done llen det land der leist 17.00 ille 17.1. Liebe ist dem mit dem dem bestelle bestelle dem dem bestelle bilde de De dem gran mad generalige det er auch benad lieben dem dem dem bestelle bestelle bestelle bestelle bestelle b
- (c) Purpose or purposes for which the proceeds of bonds are to be expended;
- (d) Valuation of the taxable property as shown by the last assessment thereof for state and county purposes; in sufficient to the country as a large of the country purposes; in sufficient to the country and it

 - (e) Indebtedness, bended or otherwise;
 (f) Amount of the proposed bond issue;
- (g) Maximum term of bonds shood and and and are properties of heaters and a contained and
- **Yout and the boulet the Sealch with or the like the reasonement benefit to contact the entries to entries the sealch** (h) Maximum, rate of interest; and was a soul manifely a set assistant assistant assistant assistant assistant
- (i) Date of election; (j). That the levying body is authorized to lay a sufficient levy annually to provide funds for the payment of the interest upon the bonds and the principal at maturity and the approximate Descholzus Kurfaci ed S rate of levy necessary for this purpose;
- (k) In the case of school bonds, that the bonds, together with all existing bonded indebtedness, will not exceed in the aggregate five percent of the value of the taxable property in the school district ascertained in accordance with section eight, article X of the constitution; and that the bonds will be payable from a direct annual tax levied and collected in each year on all taxable property, in the school district sufficient to pay the principal and the interest maturing on the bonds in that year, together with any deficiencies for prior years, within, and not exceeding thirty-four years, which tax levies will be laid separate and apart and in addition to the maximum rates provided for tax levies by school districts on the several classes of property in section one, article X of the constitution, but in the same proportions as the maximum rates are levied on the several classes of property, and the tax may be levied outside the limits fixed by section one, article X of the constitution.

Any other provision which does not violate any provision of law, or transgress any principle of public policy, may be incorporated in the order.

Acts 1923, c. 14, § 4; Acts 1951, c. 153; Acts 1959, c. 132; Acts 2009, c. 23, eff. July 9, 2009

§ 13-1-7. When election to be held

questions to be voted upon at an election called by "Atty Gen. 98" (April 9, 1973) 1973 WL 159147

In general 1 a county board of education to be held on the same day, as that already designated by the Legislature for holding a special election for the purpose of considering the ratification or rejection of pro-In general considering the ratification or rejection of pro-It is unconstitutional for school bond and/or levy posed constitutional amendments. 55 W.Va. Op.

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§ 13-1-11. General election laws to apply; recorders and secretaries to act in lieu of circuit clerks

Notes of Decisions

Polling places , Berick

court rather than on the board of education of that county. 53 W.Va. Op. Atty Gen. 263 (July 25, 1969) 1969 WL 100556

4. Polling places

The duty to provide polling places in a special election for school purposes is imposed on a county

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If the required amount of all the votes, pursuant to section four of this article, cast for and against the proposition to incur debt and issue negotiable bonds is in favor of the same, the governing body of the political division shall, by resolution, authorize the issuance of the bonds in an amount not exceeding the amount stated in the proposition; establish the maximum rate or rates of interest which the bonds shall bear within the maximum rate stated in the proposition submitted to vote; require that the bonds shall be made payable at the office of the Municipal Bond Commission and at any other place or places as the body issuing the same designates; provide for a sufficient levy to pay the annual interest on the bonds and the principal at maturity; fix the times within the maximum period, as contained in the proposition submitted to vote, when the bonds shall become payable, which shall not exceed thirty-four years from the date thereof; determine whether all or a portion of the bonds will be subject to redemption prior to the maturity thereof; and prescribe a form for executing the bonds authorized.

Acts 1923, c. 14, \$ 14; Acts 1970, c. 9; Acts 1980, c. 33; Acts 1981, 1st Ex. Sess., c. 2; Acts 1990, 3rd Ex. Sess., c. 5; Acts 1994, c. 18; Acts 1998, c. 320; eff. March 14, 1998; Acts 2009, c. 23, eff. July 9, 2009.

§ 13-1-15. Bonds to be payable in annual or semiannual installments

Bonds shall be made payable in annual or semiannual installments beginning not more than three years after the date thereof and the amount payable in each year may be so fixed that when the annual interest is added to the principal amount to be paid, the total amount payable in each year in which part of the principal is payable shall be as nearly equal as practicable. Once principal payments commence, it shall be an immaterial variance if the difference between the largest and smallest amounts of principal and interest payable annually or semiannually during the term of the bonds shall not exceed five percent of the total authorized issue. Bonds may be payable in annual or semiannual installments beginning not more than three years after the date thereof, each installment being as nearly equal in Acts 1928; c. 14, § 14; Acts 2009, c. 28, eff. July 9, 2009.

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§ 13-1-15a. Bonds may be subject to redemption

All or a portion of the bonds may be subject to redemption prior to the maturity thereof at the option of the body issuing the same as established by resolution of the governing body authorizing the bonds. The body issuing the bonds may not levy taxes in connection with the redemption of any bonds in excess of the taxes that would have been levied for the payment of principal of and interest on the bonds in any year.

Acts 1994, c. 13: Acts 2009, c. 23, eff. July, 9, 2009.

13-1-16. Recital of certification that bonds are issued in conformity with constitution and statutes; effect thereof with Attorney General's endorsement

The resolution authorizing the bonds provided for in section fourteen of this article may direct that they contain the following recital:

"It is certified that this bond is authorized by and is issued in conformity with the requirements of the Constitution and Statutes of the State of West Virginia."

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§ 13–1–17

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§ 13–1–18

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§ 13-1-21

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The recital, when the bonds have been endorsed by the Attorney General as provided in section twenty-eight of this article, are considered an authorized declaration by the governing body of the political division and to import that there is constitutional and statutory authority for incurring the debts and issuing the bonds; that all the proceedings therefor are regular. that all the acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds have existed, happened and been performed in due time, form and manner as required by law; that the amount of the bond and the issue of which it forms a part, together with all other indebtedness, does not exceed any limit or limits prescribed by the constitution or statutes of this state; and that all questions connected with incurring the debt and issuing the bonds have been first submitted to a vote of the people and have received the required amount of all the votes, pursuant to section four of this article, cast for and against the same at an election regularly called and held for the purpose after notice published and posted in the manner required by law. If any bond be issued containing the recital, and also containing the endorsement of the Attorney General as aforesaid, it shall be conclusively presumed that the recital, construed according to the import hereby declared, is true and neither the political division nor any taxpayer thereof shall be permitted to question the validity or regularity of the obligation in any court or in any action or proceeding.

Acts 1923, c. 14, § 15; Acts 2009, c. 23, eff. July 9, 2009.

§ 13–1–17. Bonds shall be registered

The bonds issued hereunder shall be issued only in fully registered form and shall carry registration privileges as set forth in the resolution authorizing the bonds Acts 1923, c. 14, § 16; Acts 1990, 3rd Ex. Sess., c. 5; Acts 1998, c. 320, eff. March 14, 1998; Acts 2009, c. 23, eff. July 9, 2009, § 13–1–18. Repealed by Acts 2009, c. 23, eff. July 9, 2009

Historical and Statutory Notes

The repealed section, which related to the regis-The repealed section, which related to the tration of coupon bonds as to interest and the Acts 1990, 3rd Ex. Sess., c. 5. exchange of registration bonds for coupon bonds. was derived from:

Acts 1990, 3rd Ex. Sess., c. 5.

§ 13-1-19. Signing, sealing and delivery of bonds

All bonds issued under this article by any county shall be signed by the president of the county commission and countersigned by the clerk of the county commission; bonds issued by any municipality shall be signed by the mayor or other chief executive and countersigned by the clerk, recorder or secretary; bonds issued by a county board of education shall be signed by the president of the board of education and countersigned by the secretary thereof. The seal of the political division shall be affixed to the bonds. The delivery of any bonds so executed at any time thereafter shall be valid, although before the date of delivery the person signing the bonds shall have ceased to hold office.

Acts 1923, c. 14; § 18; Acts 2009, c. 23, eff. July 9, 2009.

§ 13-1-21. Advertisement and sale of bonds

The governing body of the political division issuing bonds pursuant to this article shall sell the same and collect the proceeds, which proceeds shall be deposited with its treasurer. The governing body of the political division shall advertise such bonds for sale, on sealed bids or electronic bids if the governing body elects to utilize an electronic bidding procedure, which advertisement shall be published as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code and the publication area for the publication shall be the political division. The first publication shall be made at least fourteen days before the date fixed for the reception of bids. The advertisement shall also be published in the Bond Buyer or similar publication and the advertisement may be published electronically: Provided, That all advertisements required by this section may consist of an abbreviated notice of the sale of the bonds. The governing body may reject any and all bids.

If the bonds are not sold pursuant to the advertisement, they may, within one hundred twenty days after the date advertised for the reception of bids, be sold by the governing body at private sale, but no private sale shall be made at a price less than the highest bid which is received. If not sold, the bonds shall be readvertised in the manner herein provided. In no event shall bonds be sold for less than their par value.

Acts 1923, c. 14, § 20, Acts 1967, c. 105, Acts 1981, 1st Ex. Sess., c. 2, Acts 1992, c. 29, Acts 2009, c. 23, efficiency, 2009.

§ 13-1-22. Purposes for which proceeds to be used; purchaser need not see to application thereof Notes of Decisions

In general
A county court may not expend bond issue proceeds for a project unrelated to projects specifical-

ly approved by a vote of the people. 53 W.Va. Op.Atty.Gen. 215 (May 28, 1969) 1969 WL 100544.

ARTICLE 2C INDUSTRIAL DEVELOPMENT AND COMMERCIAL DEVELOPMENT BOND ACT

Section (in the section of the section) 13-2C-3. Definitions 13-2C-21. Ceiling on issuance of private activity.
13-2C-3a: Continuation of industrial revenue bonds; establishing procedure for allocation review committee; appointment, terms of members; used allocation; expenses duties. appointment, terms of members; used allocation; expirations and car-yoting; expenses; duties: ryovers:

§ 13–2C–1. Short title Notes of Decisions 2. In general 2

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19, 1965), 1965, WL 92422, 1941, Alexandria WL 100559, Alexandria Alexandria

In general 2

2. In general

County court authorized to issue bonds for acquiring industrial plants, can act with federal or ganizations in advancement of industrial development; may transfer county property for adequate consideration; may not condemn private property. By special legislation, Doddridge, Pleasants, and consideration; may not condemn private property. Tyler County courts may transfer property to for industrial development; is not prohibited from Middle Island Development Authority without consideration; 51 W.Va. Op.Atty.Gen. 201 (February W.Va. Op.Atty.Gen. 276 (August 15, 1969) 1969

§ 13–2C–3. Definitions

Unless the context clearly indicates otherwise, as used in this article:

(a) "Commercial project" means real or personal property or both, including any buildings, improvements, additions, extensions, replacements, appurtenances, lands, rights in land, water-rights, franchises, machinery, equipment, furnishings, landscaping, utilities, railroad spurs and sidings, parking facilities, farms, parking wharfs, approaches and roadways or any number correcombination of the foregoing necessary or desirable in connection with a commercial enterprise or incidental thereto and includes, without limiting the generality of the foregoing, hotels and motels and related facilities, nursing homes and other health care facilities, facilities for participatory or spectator sports, conventions or trade show facilities, airport facilities, shopping centers, office buildings, residential real property for family units, and mass commuting facilities, dormitories, apartments and other housing facilities for the students and faculties of institutions of higher education, instructional buildings and other facilities used in connection with nonpublic institutions of higher education, facilities providing

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RAYMOND JAMES

CLOSING **MEMORANDUM**

TO:

PO Box 1300

New Cumberland WV 26047

Phone: 304/564-3411 ext 301

Cell:

304/564-3990 Fax:

e-mail: szsmith@access.k12.wv.us

304/564-3990 Fax:

e-mail: jcampine@access.k12.wv.us

Bowles Rice McDavid Graff & Love LLP

600 Quarrier Street (PO Box 1386) Charleston WV 25301 (25325)

Edd McDevitt

Phone: 304/347-1711 Fax: 304/343-3058

e-mail: emcdevitt@bowlesrice.com

WV Municipal Bond Comm.

Sara Boardman

Phone: 304/558-3971 Fax: 304/558-1280

e-mail: sboardman@state.wv.us

FROM: Marie L. Prezioso

e-mail: Marie.Prezioso@RaymondJames.com

Phone: 304/346-1984 Fax: 304/346-1985

cc: e-mail: Joseph.Nassif@RaymondJames.com

March 7, 2011 DATE:

Plus

RE:

\$37,000,000 The Board of Education of the County of Hancock (West Virginia),

Public School Bonds, Series 2011

On Thursday, March 10, 2011, Wells Fargo Bank, National Association will wire \$36,266,007.45 to the account of the Hancock County Board of Education (wiring instructions follow).

> Total Principal of Bonds \$37,000,000.00 \$ 6,007.45 Premium

Good Faith Deposit \$ 740,000.00 Less

\$36,266,007.45

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Page 1 of 2

Hancock County Board of Education

104 North Court Street

Suzan Smith, Superintendent

304/670-6529

Joseph Campinelli, III, Treasurer

Phone: 304/564-3411 ext 386

Sharon Butch

Phone: 304/341-0706

e-mail: sharon.butch@wvsto.com

WesBanco Bank, Inc.

1 Bank Plaza

Wheeling WV 26003

Janet W. Kendzierski Phone: 304/234-9444 304/234-9431

e-mail: kendzierski@wesbanco.com

Wells Fargo Bank, National Association

1525 West WT Harris Blvd D1109-010

Charlotte NC 28262

Contact: Alex Ghigo

Fax:

Fax:

Phone: 704/427-4668

State Treasurer's Office

Phone: 304/340-1573

Diane Holcomb

704/427-4777

304/340-1507

e-mail: diane.holcomb@wvsto.com

e-mail: alex.ghigo@wellsfargo.com

Janet Shelbourne

Phone: 304/234-9436 304/234-9431 Fax:

e-mail: shelburnej@wesbanco.com

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For further Credit to:

Hancock County Board of Education

Contact Person:

Michael Holtsclaw mholtsclaw@bbandt.com

304/348-7078

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